

# The Nation.

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## The Week.

THE President has, during the past week, continued his melancholy tour through the country, and has engaged in various bouts of recrimination with the crowd, which have furnished subject for sorrow or merriment to millions of readers. His performances at Cleveland were only equalled by his performances at St. Louis. If "the man, woman, or child who can lay a finger on anything he has done," etc., for whom he is incessantly calling, will only step forward and communicate with him, without further notice, he or she will confer a favor on an afflicted community and save Mr. Johnson much speaking. If any one knows, also, "what pledge he has violated," and will impart the desired information either to himself or Secretary Seward, he will doubtless be suitably rewarded. At all events, he will earn the gratitude of the public.

MR. BEECHER has received a grave and well-written remonstrance from his congregation upon his political course, and has replied in a long letter. The question between him and many of his critics now seems to be, not whether he is not mistaken in believing that the freedmen may be safely left to look for protection to Southern legislation, but whether his holding, or at least propounding, this opinion does not indicate gross inconsistency with his former teachings, and even a certain moral deterioration. Horace Greeley, with his usual delicacy, assumed, in his otherwise ably-written reply to him, that Mr. Beecher, in writing his letter to the Cleveland Convention, was really guilty of a base act; informed him that many clergymen who had once honored him would sooner have been murdered by a mob, like Mr. Horton, than have written such a letter as his; and that his congregation felt they had made a mistake in loving him, and much other matter of the same sort, utterly coarse and even brutal, as we hold it to be. Mr. Beecher's course is, no doubt, well calculated to give pain to all his fellow-laborers, if for no other reason, because of the encouragement it gives to the enemy. He is mistaken—and grossly mistaken, as we believe—but it is a mistake which a good and honest and pure man may make; and there is something monstrous in the readiness of many of his friends to see in it an excuse for their forgetting his thirty years of labor in the anti-slavery cause, and the vast, and as we believe unequalled, influence for good which he has exerted upon the country. There is no other man amongst us to whom all good causes owe

more, and there is, therefore, no other to whom more may be forgiven; and we hope to see the day in America when men of his standing and services may be guilty of even worse aberrations than his without forfeiting the respect of their neighbors for their character and motives, whatever may be thought of their judgment, and without exposing themselves to gross personal abuse. If anybody wants to know why it is that our purest and most high-minded and most sensitive men are reluctant to take office, or take an active part in politics, they may find the reason in the language used towards Mr. Beecher and the imputations cast upon him by many of the radical newspapers. There is a vague notion prevailing amongst many good people that if you are in earnest in a good cause, you can help it without swearing at everybody whom you believe to be its enemy, and calling him foul names. If this were true, however, all the great reformers and martyrs of the world, from Socrates down, would have been masters of Billingsgate, and the New Testament in particular would be a great storehouse of vituperation.

MR. BEECHER's letter, however, in conceding Mr. Johnson's "obstinacy," "fierceness," his disposition to "mistake the intensity of his convictions for strength of evidence," and in stigmatizing his share in the New Orleans affair as "shocking," really gives up most of the ground in the dispute between the President and Congress. Mr. Johnson, as his own supporters even now describe him, and as his speeches reveal him, is clearly a man who is not to be trusted with so difficult and delicate a task as reconstruction, and whose political opinions at such a crisis are really almost worthless. With the knowledge which Congress has possessed of his temper for the last six months, at least, it would have been almost criminal in them to accept his views of the situation at the South as a basis for their action, much more to accept from him and adopt a plan of reconstruction of his own making. And the public is not to blame, as Mr. Beecher and the *Evening Post* seem to think, if the mere fact of his opposing a measure drives the rest of the world into advocacy of it. The whole conservative plan really rests on Mr. Johnson's personal sagacity and perspicacity. The policy he recommends is emphatically "his policy"—as he is never tired of mentioning—and he is himself profoundly conscious that this policy really owes whatever value it has to his having concocted or brought it forth, for his speeches in its defence consist mainly in expositions of the excellence of his own character, his consistency, his fidelity, his courage, his farsightedness and honesty. He says very little of its merits.

THE Democratic Convention at Albany is in full operation as we write. It embraces the old members of the body and the deserters from the Republican organization, such as Mr. Thurlow Weed. The platform, it is said, is being prepared by Mr. Samuel J. Tilden and Mr. Marble, of the *World*, so that the nature of the document may be guessed beforehand, as the political opinions of one of these gentlemen are no secret. Mr. Tilden, we believe, has always held that slavery was a divine institution; that any State had a right to secede, and that, whether it had or not, that nobody had a right to prevent it; that Jefferson Davis was a gentleman of talent, Abraham Lincoln a poor, silly rail-splitter, and that the war was a gigantic crime and all engaged in it either knaves or fools. Of Mr. Marble's opinions we are not so certain, as he has at various periods exercised his inalienable right of changing them, and circumstances have prevented us following closely such modifications in them as he deemed necessary.

WHAT they can seriously hope to gain by it is not easy to see, but there is little doubt that the Fenian leaders are ordering their followers to vote the Union ticket in the fall elections, and that, to a certain

extent, their orders are being obeyed. News comes from Maine that, "whatever the explanation, it is certain that quite a number of Democratic Irish have voted this year with the Radicals." This may be only one of the excuses for being beaten which a badly beaten party is apt to make. The Union party in Maine has won a victory quite unexampled. Maine is a State of small cities and small towns and intelligent citizens, and the Presidential policy is repudiated by an overwhelming popular vote. Ex-Vice-President Hamlin took a course in regard to the Federal office which he was holding in Boston that, doubtless, had a favorable effect on the prospects of the Union men, and the Democrats were affected unfavorably by the inopportune occurrence of the New Orleans riots and Mr. Johnson's trip to Chicago. On the two questions before the country, Shall the return of the South to the Union be conditional or unconditional? which is a political question; and, Shall legislative functions be usurped by the President? a most important constitutional question, Maine, at any rate, and Vermont, have given in unmistakable language the right answer. And they will help Pennsylvania and New York to be as overwhelmingly right next month and the month after.

THE *Evening Post*, of New York, the *Springfield Republican*, and some other journals that are popularly supposed to be in favor of the immediate representation of the South in Congress on no other condition than that they revise their present delegations and send reasonably loyal men, are talking as seriously as if they really believed what they say on the propriety of sending prominent Northern Union men on a lecturing tour through the late Confederacy. The *World*, with ill-concealed eagerness, applauds this project. Imagine Major-General B. F. Butler, after his arrival had been promised for ten days in large placards, going to the Mechanics' Institute in New Orleans to make a speech; or suppose Mr. Beecher to be advertised to speak on the 30th inst. in Okolona, where his Cleveland letter will not be heard of or generally understood for some months to come, and where nothing is known of him except that he wrote "Uncle Tom's Cabin" and sent negroes with Sharp's rifles to Kansas; or fancy Wendell Phillips making the tour of Anderson District, South Carolina, the home of Mr. Orr. Mr. Phillips is a propagandist, but he is not so much in love with death as to attempt public speaking in any Southern State. If any of these men, or any other Northern man, were to go through the late Confederacy speaking for Congress, the people would kill him long before he got to New Orleans. This may be no argument against the President's policy of reconstruction, but it is a view of the case that has long prevented, and will long prevent, any Radical—or Disunionist, as the *World* would say—from uttering his real opinions in the Southern country. He might court himself extremely fortunate if, instead of murdering him, a committee of the first citizens of some town or other waited upon him with an address of farewell like this to General Miles from the Richmond *Examiner*. General Miles is guilty of having been the officer commanding at Fortress Monroe, where the "stern statesman" of Mississippi, who does not like him, languishes in confinement:

"When you die, may your carrion be thrown to the dogs, and may they, loathing your vile flesh, leave it to the unfastidious buzzard. You have polluted our air and soil too long. Go! Relieve us of your insufferable presence. Relieve us of an offensive object that provokes us to blasphemy. As we revere and love Jefferson Davis, so do we detest and condemn thee, hateful kite—obscenest of birds. Go!"

A BRIEF and very readable correspondence has recently taken place between Semmes, formerly a great part of the Confederate States navy, and now a probate judge in Mobile, and Major-General Wager Swayne, a young man, but one of the ablest of General Howard's assistant commissioners. Semmes cites the President's last proclamation, and desires to know if he is to be interfered with in case he opens his courtroom and proceeds to exercise his functions. He invites Gen. Swayne to telegraph for further instructions, apparently thinking that, "in the changed circumstances of the times," his claims to the honors and emoluments of civil office would be more kindly looked upon in Washington than they were a few months ago. Gen. Swayne replies that the orders received some time since were explicit, and he sees no reason for applying for further instructions; and he takes occasion to clear the mind of Semmes of a misconception into which he seems to

have fallen, by drawing his attention to the fact that "the order above cited points to the arrest not so much of the probate judge of Mobile County as of an individual who, for acts defined by the laws for the punishment of treason, and for other acts, is liable at any time to be taken into custody." The pirates we read of who used to keep chaplains aboard their *Alabamas* must have felt a little oddly at times, but not more so, we should say, than a rebel and public enemy when he discovers among his correspondents so luminous and unimpassioned a legal adviser as Gen. Swayne.

THE drawers of resolutions of mourning, rejoicing, indignation, and so forth, have been lately getting into the way of using the term "great commoner," originally applied in England to Pitt, to designate anybody of humble origin who happens to distinguish himself. For instance, the New York Democratic State Central Committee has just been "resolving" over the death of Dean Richmond, in very foggy English, and talks of his career as the career of "this great commoner." To call a man a "great commoner," or a "commoner" of any kind, in America, is, however, ridiculous. There are no "commoners" where there are no peers, just as there are no tenants where there are no landlords. "Commoner" is a relative term, and marks a class distinction. It would have been just as sensible to call Dean Richmond this "illustrious nobleman."

THE *World* quotes the act of Congress of 1862, fixing the number of the representatives in Congress, and the debates on the case of Mr. Upton, as showing that Congress has decided that the Southern States are all in the Union, and that, therefore, Mr. Johnson is only doing his duty as an executive officer in treating them as being in it. What we should like to know now is, what act of Congress it was which authorized him to displace the State governments when the war was over, and appoint provisional governors, and call conventions, and prescribe terms of admission, and in what act the terms which he prescribed are fixed for his guidance. If Congress did really arrange his plan of reconstruction, and Congress be, as the *World* acknowledges, the only legislative power of the Union, of course there is not a word more to be said, after we have seen the act, ordinance, or resolution.

THERE is not a single daily paper in the country—Mr. Parton to the contrary, notwithstanding—which makes a real business of purveying the news of the day, and reporting what occurs as it happens, not as the editor would like it to have happened. The usual course pursued with regard to public meetings during an exciting campaign is to send a reporter to attend it, with instructions, direct or implied, either to represent them as "glorious demonstrations," boiling over with enthusiasm and overwhelming in point of numbers, or else to caricature and ridicule them, crack small jokes on them, and hold them up to contempt as mere gatherings of half-witted people or hungry adventurers. The sole aim of the reporter, in fact, seems to be, in most cases, to make his reports support the opinions and prophecies uttered in the editorial columns. The result is, that if we were dependent for our knowledge of the value of the Loyalist Convention at Philadelphia upon the New York press, we should really know very little about it, although we should have no difficulty in extracting from the admissions of the *Times* reporter that it was at least largely attended and very enthusiastic. The testimony of the local press, however, and of all who attended it, is unanimous as to the extraordinary fervor which it called out, and the immense gathering of the best men from all parts of the country which it created. The failure of the Southerners to agree in demanding negro suffrage is nothing wonderful. The wonder would have been if they had agreed on it, considering the education and the prejudices of the delegates. Nor is the argument used by the New York *Times* to depreciate the convention, that "it did not represent the South," a very brilliant or telling one. If it really represented the South, the South would be loyal and peaceable, and all our present troubles would cease. It is to the fact that it did not represent the South, and did not pretend to represent it, that its importance is mainly due. What it did represent was that portion of the Southern population whose fidelity to us during the war has given them claims of the strongest kind upon our protection.



THE New York Times was, it appears, mistaken in supposing that it was "Federal" and not "rebel" bonds which rose in the London market on the receipt of the news of the Philadelphia Convention, No. 1. The general impression in Europe undoubtedly is that a successful coalition between the Northern Democrats and the South will lead once more to Southern ascendancy in the Federal Government, and thus to a repeal of all restrictions on the repayment of the rebel debt. To be sure the rise has not been very great, and the English holders of the Confederate bonds are not very wise, but then there is nothing like strict accuracy.

THE recurrence of the Roman question ensures to Italy continued prominence in European politics. The September convention will begin to go into effect in a few days, and the completed withdrawal of the French troops, it is universally believed, will be the signal for revolt against the Papacy. His Holiness seems to be taking little thought of a refuge, and has even got to deploring the loss to the church of Orsini, who, he says, before turning assassin, had seriously proposed to himself to become a priest. But the hitherto devoted adherents of Francis II. and the old *régime* are inclining to unite with the rest of their countrymen. The patricians congregated at Portici have added their names to the subscription for a monument to the dead at Lissa, and those who are nearer the person of their sovereign have manifested a desire to quit the society of brigands and return to Naples as honest citizens. There will probably be few obstacles to such restoration, if their good intentions are made clear to the Government.

THE Upper House of the Prussian Parliament has passed a bill of indemnity for the illegal acts of the King and Bismark during the disputes preceding the war, when they took the liberty of levying taxes without the consent of the legislature, so that there is a strong probability that complete harmony will reign for awhile. We say for awhile, because the King's ideas of constitutional government are still primitive in the extreme, and there is no knowing how long he can abide its restraints. He gave recently, in replying to an address of a deputation of Brandenburgians, a curious illustration of his state of mind, by saying that he had "forgiven the behavior of the Parliament, but he never could forget it;" evidently considering himself its victim. He has issued a proclamation annexing Hanover and the other pieces of territory which Bismark has decided on "absorbing," though not without many qualms of conscience and much opposition from "the ladies of his family." The chances are that there will be no real tranquillity in Prussia as long as he lives. His head is filled with mediæval delusions, and he is old and obstinate. Bismark says, if he had made him, he would have made him differently; but in the meantime the people have to "grin and bear" him, and wait for the accession of the Crown Prince, who has the reputation of being a modest and sensible man.

BUT Europe is by no means settled, for "France is not satisfied," and, in the opinion of most Frenchmen, unless she is satisfied, peace is not possible. All parties in that country unite in preaching against Prussia, and in groaning over her aggrandizement as a menace and danger to France which ought not to have been permitted. The liberals are, perhaps, more violent than anybody else. A very good exposition of their feelings and opinions will be found in another column from our correspondent, "A Frenchman," who is himself a distinguished member of the party. They say they would not object to the work of German consolidation, if it were done by a free people; but done by a military despot like Bismark, they will not submit to it. Much of the grumbling which appears in the opposition press in Paris is doubtless intended to reflect on Louis Napoleon, just as many people here pretend to sympathize with the Fenians out of hostility to President Johnson. What the Emperor's policy really is, it is impossible to say. All the speculation it has hitherto called forth seems well-nigh worthless. With his inaction ill-health has probably something to do. In England there is little of importance to record beyond the commencement of a reform agitation which, apparently, is likely to exceed in vigor and earnestness that of 1832. Mr. Bright has opened it by an oration which surpassed all his former efforts.

#### THE FREEDMEN.

THE week has been unusually barren of reports from the freedmen. The political excitement attending the President's tour and the fall elections has, perhaps, engrossed the attention of the North, and may even have affected the behavior of the people of the South, who assuredly will not be deceived by appearances which the President has all along assumed as the national verdict upon the difference between himself and Congress. The best protection for the blacks, it cannot be doubted, lies in such overwhelming victories as those of Maine and Vermont.

—The Governor of South Carolina, in his message of the 5th inst. to the Legislature, meeting in extra session, urges the modification of the negro code so as to extend the jurisdiction of the civil courts over all classes of citizens. He also recommended the admission of negro evidence in all cases, as being both just and prudent. He declared the present stay-law to be unwise and unconstitutional, and advised the abolition of imprisonment for debt, together with an extension of the bankruptcy law. The impoverished condition of a large part of the population, owing to short crops, calls for some provision by the State, and a sale of the State bonds for that purpose was suggested.

—On the 18th of the present month is to be held at Nashville the annual meeting of the National Equal Rights League, of which John M. Langston is president. The aim of this society is sufficiently indicated by its title. It is, to use the language of the call, "to secure to every colored American complete equality before the law, and the cultivation among us of all those things which pertain to a well-ordered and dignified life." The league "makes no distinction of color or sex," and invites the co-operation of all kindred associations. The question before the convention will be: Where do the colored people stand? What is their station, legally and politically, under American law since the rebellion? Representatives will be admitted from all State and other auxiliary leagues, which meantime (to judge from the constitution of one) are sending out lecturers, calling meetings, publishing documents, and in the usual way educating the people to receive their ideas. There is no doubt, so far as Tennessee is concerned, that the prospect of perfect equality is much fairer now for the blacks than at any other time. An alliance between the loyal whites and the freedmen was first foreshadowed there by Gov. Brownlow and others—perhaps, but our recollection is not clear on this point, by Mr. Johnson himself. It is now a resort for which nearly all the loyalists of the reconstructed States are prepared.

—Large numbers of white women and children in North Carolina, says Assistant Commissioner Robinson, are without clothing and assistance, and an appeal for them is made to the benevolence of the North.

—Brig.-Gen. Chas. H. Howard is erecting a new school-house for the freedmen in Washington and another in Bladensburg, Md. Two more will be built in Alexandria by the colored people, as soon as they can purchase ground for them.

—The sanitary precautions taken by the Bureau in the District of Columbia are to be credited with the present excellent health of the freed people there, and the entire absence of cholera from the midst of them. Large numbers of men and women are continually being sent to good homes in the North.

—In York County, Virginia, there are about 6,000 freedmen located on farms originally established by Government, but to be delivered over on Jan. 1, 1867, to their former owners.

—An improved condition of affairs is reported in South Carolina. Outrages are fewer, and the crimes most prevalent are traceable to the poorest of the people. In the Darlington district large numbers of the blacks are preparing to emigrate to the public land in Florida. At Lawtonville the cotton crop is reported to be stunted, with a prospect of yielding fairly in case of speedy rain.

—The aggregate number of sick refugees and freedmen that are now inmates of hospitals and asylums in the several districts of the Bureau is as follows: Virginia, 569; District of Columbia, 236; South Carolina, 221; North Carolina, 215; Alabama, 287; Georgia, 274; Mississippi, 100; Florida, 38; Louisiana, 418; Arkansas, 128; Kentucky, 87. Total number, 2,763.

## Notes.

## LITERARY.

CHARLES SCRIBNER & Co. announce for publication in the course of this month a volume from the pen of Judge John A. Jameson, of the Superior Court of Chicago, upon the "Nature and Powers of the Constitutional Convention." Of the proper functions and precise powers of these bodies, though they are well known to American history, and especially within the last four or five years have filled a prominent place in the public view, too little is known either by our jurists or the people at large. Indeed, Judge Jameson's book, when issued, will fill a complete vacancy in our legal literature, there being now in existence no authority whatever upon that subject. Its appearance is particularly opportune just at this juncture, when the fundamental principles of which it treats are so vaguely understood by ninety-nine in every hundred of those Americans who may possibly at any day find themselves fighting on one side or the other of a civil war resting on those very principles. It is a book that will be gladly received by every intelligent student of the law and every citizen who thinks.

—The annual fall trade-sale of books commenced last Thursday at the rooms of Messrs. Leavitt, Strebeigh & Co. There was a large attendance of members of the book-trade at the sale, and a large number of books were catalogued by one hundred and twenty-five publishers, nearly all standard works, and but little that is new. The Southern and Western houses were well represented. The prices realized were very fair, though lower than in the spring, owing chiefly to the remission of internal revenue taxes on books and book material. We do not see the exact utility of these sales, which are generally used as means of forcing unsalable stock on country houses. Communication is now so easy between the different parts of the country that booksellers are able to make their own selections from the publishing houses, and order the books that the tastes of their customers demand. Occasionally, but rarely, by these sales, books that otherwise might not be read are brought to the notice of the country public.

—We may have been slightly in error last week in speaking of the withdrawal from circulation of Mr. Swinburne's "Poems and Ballads." The act was one for which his publishers, Messrs. Moxon & Co., were alone responsible, and is probably the effect of a change of publishers. The book, it is said, will be issued again by another firm.

—An interesting report upon the documents in the public libraries of Venice has just appeared in England. It is printed in the form of a letter from Mr. T. Duffus Hardy, the deputy-keeper of the public records, to the Master of the Rolls. It contains, among other matters, a list of documents relating to the divorce of Henry VIII., a list of letters relating to Cardinal Pole, and a list of letters relating to James Stuart. "During his residence in Jersey, about the year 1646," says Mr. Hardy, "it seems that Prince Charles (afterwards Charles II.) engaged the affections of a young lady whose name does not appear. She is said to have belonged to the family of the noble house of Mar." By her he had a son, as he says, "plutost par fragilité de nostre première jeunesse que par malice." This son is the James Stuart to whom the letters refer. Mr. Hardy prints the will of this Giacomo Stuardo in an appendix. It is a curious document, endorsed, "The last will of the late impostor at Naples, who at first pretended himself to be a natural sonne of the King of England, 1669."

—Among the other luxuries which *L'Écœnement* offers to tickle the palate of its readers is a supplement to the *Spectator*, the spirit of Addison having been evoked from the grave to address a few letters to M. Villemessant on the social anomalies, the abuses, and the follies of the day. The modern Monsieur Addison is in some ways as genial and as pleasantly satirical as when, a hundred years ago, he wrote his papers for the London tea-tables. But, in being resuscitated, he has dropped all marks of his English nationality, and has become thoroughly Parisian. Before commencing his new work he treats M. Villemessant's readers with a sketch of his autobiography, and his surprise and gratification at finding the tone of society so changed and improved. He doubts whether he and his friends corrected public

morals, but he thinks that they "suppressed many abuses, and at any rate solved the difficult problem of amusing honest folk." M. Addison then promises a new *Spectator*, to be composed, he says, "alas! without the help of that good and spiritual Richard Steele." He declares war against the "grotesques and malfaisans who at the present time abound in French society and French literature;" and he devotes a paper to severe but good-natured comments on periodical literature and the puffery of publishers.

—The British Association opened its annual meeting at Nottingham, on the 22d of August, with an inaugural address delivered by the president, Mr. W. R. Grove, Q. C. The address is published at length in the *Athenæum* and the *Reader*, and well deserves to be read on account of its eloquence, its thoughtfulness, and the general clearness of its reasoning. The subject is the "continuity" of nature, which view he first applied to astronomy, saying that the idea of vast empty spaces in the universe had been overthrown, and that as the zone between Mars and Jupiter was known to be filled with asteroids, and other spaces with meteorites, so it is not improbable that the "whole space of the solar system is filled up with planetary bodies, varying in size from Jupiter, 1,240 times larger than the earth, to that of a cannon ball or even a pistol bullet." He then went on to the discussion of forces—light, heat, and electricity—which he considered modifications of each other. Matter he also thought to be the same in varying forms, and geology the history of continuous slow changes, the doctrine of catastrophes being a *Deus ex machina* brought to help the defects of knowledge. He favored, in its fullest extent, the Darwinian theory of creation, and even applied the idea of continuity to the history of man, which he thought amenable to the same general laws of progress that govern the physical history of the globe.

—If we may judge by the numerous editions and by the eagerness with which volumes of anecdotes or reminiscences of his life are bought, Charles Lamb is more popular here than in England. His influence on his own time was very slight, but on those of the present generation has been much greater, both as to their lives and on their habits of thought. If the power which the "gentle Elia" has exerted is passing away, as some have thought, the characteristics of that wonderful humorist will be brought again to mind by Mr. Procter's "Memoir." "Barry Cornwall" was one of Charles Lamb's intimate friends, and as he tells the story of that life of sacrifice and tenderness, we lose sight altogether of the writer and find ourselves face to face with that kindly man, sad yet always happy with his friends over a comforting glass of wine. Mr. Procter's book is a view of the man and of his habits, rather than an analysis of his character or a collection of his sayings. Some few of the stories about him are either new or else forgotten, two of which we repeat: "Mrs. K., after expressing her love for young children, added tenderly, 'and how do you like babies, Mr. Lamb?' His answer, immediate, almost precipitate, was 'Boi-boi-boiled, ma'am!'" "Of a Scotchman: 'His understanding is always at its meridian. Between the affirmative and the negative there is no border-land with him. You cannot hover with him on the confines of truth.'"

—Mr. W. W. Skeat is preparing a new edition of "Piers Plowman." He has examined nearly thirty MSS., and thinks there are three distinct types of the poem. He proposes to publish one of each in order, with various readings and notes, beginning with the earliest and shortest. He asks all scholars who have made notes of any kind—historical, philological, or theological—on points connected with the poem to assist him by their communications.

—Mr. John Grote, the younger brother of the historian, is dead. He was the professor of moral philosophy in the University of Cambridge, and senior fellow of Trinity College, and had not long ago issued the first part of a critical work called "Exploratio Philosophica."

—Señor de la Barrera, it is said, is about to offer a sequel to his former work to the coming competition for the annual prize at the National Library of Madrid. This prize was established to encourage bibliographical studies. To the successful author a money premium is given, and the work is printed at the expense of the state. Señor de la Barrera gained this prize at the competition of 1860 with his excellent and



very thorough work, the "Catálogo Bibliográfico y Biográfico del Teatro Antiguo Español." The supplement will correct the errors which were unavoidable in the previous work, containing as it did such a mass of scattered details brought together with difficulty from various sources. Besides this, it will make many additions to the work, among which is an entirely new biography of Lope de Vega, founded on documents that have been recently discovered, and especially on a valuable series of autograph letters, extending over a period of his greatest brilliancy, which were lately found in the archives of the Conde de Altamira. The personal history of Lope, previously a mere blank, is now filled up with details from his own hand. It seems, however, that there is some difficulty about the publication of this discovery on religious grounds. Many of these letters reveal the fact that even after assuming the tonsure, Lope did not entirely abandon the follies of the world, and that his priestly life was marked by many frailties. Some of the ultra-Catholic party at court think that such a reflection on the impeccability of the priesthood is a scandal too great to be divulged. But as every one knows that Lope de Vega published over one thousand plays after he took orders, the subjects of which turn on love, it would hardly be thought that the main story of his life would do much harm among a pious people like the Spaniards.

#### SCIENTIFIC.

**NITRO-GLYCERINE.**—M. Emile Kopp, a very good authority, reports to the French Academy the successful use of nitro-glycerine in some sandstone quarries near Saverne. The peculiarity of the case is that the nitro-glycerine is all made upon the spot just before it is wanted for use. The very dangerous transportation of this fulminating material is wholly avoided. The materials from which it is made are not dangerous, though somewhat inconvenient to transport. M. Kopp recommends the following method of preparation, which he considers simple enough to be executed by an ordinary workman under any temporary shelter in the quarry itself. In a large earthenware pot or basin, placed in cold water, the workman mixes a quantity of fuming nitric acid (50° Baumé) with twice its weight of the most concentrated sulphuric acid. In another pot he evaporates some commercial glycerine until it becomes sirupy and marks 30° to 31° Baumé. When both these liquids have become perfectly cold, the workman places 3·3 litres (5·8 pints) of the mixed acids in a glass globe or earthenware pot, which must be kept cool by immersion in cold water. He then pours into the acids 0·5 litre (0·88 pint) of the concentrated glycerine in a fine stream, with constant stirring. It is important to avoid any sensible heating of the mixture. After waiting ten minutes, the workman turns the mixture into five or six times its volume of cold water. The nitro-glycerine falls to the bottom as a heavy oil. Washed once more with a little water, it is ready for use. It is still slightly acid and watery, but these impurities do not hinder its effectual working. The oil is employed for blasting in open quarries in the following manner: Let the object be to detach a considerable mass of stone from a ledge. At 8 to 10 feet from the edge a hole 2 inches in diameter is sunk to a depth of 7 to 10 feet, and well cleaned out. Three to four pounds of nitro-glycerine are then poured in. Next the workman lowers down upon the oil a little cylinder of wood or tin, about 1½ inches in diameter and 2 inches high, filled with gunpowder. This cylinder is let down by means of a common fuse, which is attached to the cylinder, for the purpose of carrying fire to the powder. Holding the fuse straight, the workman fills the hole with fine sand. No tamping is necessary. The shock caused by the inflammation of the powder explodes the nitro-glycerine. The explosion is so sudden that the sand has no time to be thrown from the hole, and no pieces of rock are projected into the air. Formidable masses of rock are cracked off and slightly displaced; but the rock is not broken into small pieces, and there is but little waste. Herein lies the principal advantage of nitro-glycerine over gunpowder in blasting. M. Kopp is of opinion that the transportation of nitro-glycerine, whether by land or sea, ought to be absolutely prohibited, and that its use in the covered galleries of mines would be dangerous, on account of the very poisonous properties of its vapor; but if manufactured on the spot at the time of using, he believes it may be safely

and advantageously employed in all blasting operations conducted in the open air.

**POISONING VERMIN.**—M. Cloëz has had good success in killing the rats which infested the Jardin des Plantes, at Paris, with bisulphide of carbon, a somewhat oily liquid, volatile at the ordinary temperature, and possessing a most nauseating odor. This liquid, no long time ago a chemical rarity, is now manufactured on a large scale, and, as the materials are cheap and the process simple, it can be bought in Paris, according to M. Cloëz, for less than ten cents a pound. The mode of applying this cheap poison is simple. By means of a flexible leaden tube, a little of the liquid is poured into the holes or other confined spaces in which the rats live, and all exit holes are stopped with clay, mortar, or loam. The rats are suffocated by the vapor—unless they run away. It is obvious that the method is not universally applicable. In the first place, it kills the rats in their holes and leaves them there—a very undesirable result in many cases; secondly, it is unavailable unless the rats are living in holes in the ground, or similar tight places, from which neither they nor the vapor can escape; thirdly, no one who has ever smelt of bisulphide of carbon would recommend the diffusion of its vapor through a house. In the hold of a vessel the method might be applicable; at anything like the French price of bisulphide of carbon, the operation would not be costly, and it would certainly be effective against the rats; as to the subsequent purification of the hold, there might be a difficulty; moreover, the method now in use, of smoking the rats out by burning sulphur in the hold, is good enough. M. Cloëz found that other burrowing animals besides rats, rabbits for example, died from the effects of breathing the vapor of this liquid, and that birds were killed by it even more promptly than rats and rabbits.

The French Academy, to whom this communication concerning poisoning rats was made, enjoy frequent opportunities of listening to vivid descriptions of the most approved scientific methods of exterminating vermin. We recall a memoir, presented to the Academy some years ago, describing with great zest a wholesale poisoning of rats by sulphuretted hydrogen, in an old conventual building outside of Paris, then occupied as a boarding-school; the amusing agonies of particularly large and fat rats, which came out on the floor and died before the eyes of the delighted experimenters, were vividly pictured. Eleven years ago, Thenard, one of the most eminent of French chemists, read to the Academy a most amusing account of the important practical discovery which he made in 1811, viz.: that boiling soap-suds would exterminate "that horrible insect which not only inflicts painful stings, but, when crushed between the fingers, exhales such a disgusting odor that we are sorry to have killed him." Thenard describes his many fruitless efforts to rid himself of the plague—the last one in these words: "An idea which I thought excellent occurred to my mind; it was to put the bedstead in the middle of the chamber, and plunge the feet into vessels full of water; I thought myself delivered. Not at all; the enemy attacked me as usual—he mounted to the ceiling and dropped down when above me." The simple remedy with which every good housekeeper is now familiar was the precious fruit of Thenard's sufferings.

**IRRIGATION IN AUSTRALIA.**—The project of collecting and storing water upon the large scale, so that it may be had in abundance at all seasons for domestic and agricultural purposes, has long been under discussion in Australia. Latterly, it has acquired political importance, and the idea now bids fair to be put in practice. Victoria, the wealthiest and most enterprising of the Australian states, has recently determined to spend a million of pounds sterling towards carrying out the project. The rain-fall of Australia, on an average of years, is ample to supply the wants of all the inhabitants, but the conformation of the country affords little natural storage. If the experiment now in progress prove successful, it may alter the character of the cultivation throughout the entire country. In Queensland, in the districts below the Darling Downs range, it is thought that artesian wells may be found useful, and it is proposed to sink such wells at once, as an experiment. The supporters of this scheme find encouragement in the experience of the French, who have derived great advantage from wells bored in the deserts upon the outskirts of Algeria.

## THE LETTERS OF EUGÉNIE DE GUÉRIN.\*

Now that the friends and correspondents of Mademoiselle de Guérin have consented to the publication of her letters, there remains no obstacle to a thorough acquaintance not only with the facts of her external life, but with her thoughts and feelings—the life of her soul. It can have been the fortune of few persons to become so widely and intimately known as the author of these letters, and to have evoked sentiments of such unalloyed admiration and tenderness. How small is the proportion either of men or of women who could afford to have the last veil of privacy removed from their daily lives; not for an exceptional moment, a season of violent inspiration or of spasmodic effort, but constantly, uninterruptedly, for a period of seventeen years. Mlle. de Guérin's letters confirm in every particular the consummately pleasing impression left by her journal. A delicate mind, an affectionate heart, a pious soul—the gift of feeling and of expression in equal measure—and this not from the poverty of the former faculty, but from the absolute richness of the latter. The aggregation of these facts again resolves itself under the reader's eyes into a figure of a sweetness so perfect, so uniform, and so simple that it seems to belong rather to the biography of a mediæval saint than to the complex mechanism of our actual life. And, indeed, what was Mlle. de Guérin, after all, but a mediæval saint? No other definition so nearly covers the union of her abundant gentleness and her perfect simplicity. There are saints of various kinds—passionate saints and saints of pure piety. Mlle. de Guérin was one of the latter, and we cannot but think that she needed but a wider field of action to have effectually recommended herself to the formal gratitude of the Church. This collection of her letters seems to us to have every quality requisite to place it beside those *lives édifiants* of which she was so fond—unction, intensity, and orthodoxy.

We have called Mlle. de Guérin a saint perhaps as much from a sense of satisfaction in being able to apply a temporary definition to our predicate as from the desire to qualify our subject. What is a saint? the reader may ask. A saint, we hasten to reply, is—Mlle. de Guérin; read her letters and you will discover. If you are disappointed, the reason will lie not in this admirable woman, but in the saintly idea. Such as this idea is, she answers it—and we have called her, moreover, a mediæval saint. It is true that the organization of society during these latter years has not been favorable to a direct and extensive action on the part of personal sanctity, and that, as we associate the idea of a successful exercise of this distinction with social conditions which have long ceased to exist, it seems almost illogical to imply that saintship is possible among our contemporaries. Yet it is equally certain that men and women of extraordinary purity of character constantly attain to a familiarity with divine things as deep and undisturbed as Mlle. de Guérin's. Her peculiar distinction—that fact through which she evokes the image of an earlier stage of the world's history—is the singular simplicity of her genius and of her circumstances. Nowhere are exquisite moral rectitude and the spirit of devotion more frequent than in New England; but in New England, to a certain extent, virtue and piety seem to be nourished by vice and skepticism. A very good man or a very good woman in New England is an extremely complex being. They are as innocent as you please, but they are anything but ignorant. They travel; they hold political opinions; they are accomplished Abolitionists; they read magazines and newspapers, and write for them; they read novels and police reports; they subscribe to lyceum lectures and to great libraries; in a word, they are enlightened. The result of this freedom of enquiry is that they become profoundly self-conscious. They obtain a notion of the relation of their virtues to a thousand objects of which Mlle. de Guérin had no conception, and, owing to their relations with these objects, they present a myriad of reflected lights and shadows. For Mlle. de Guérin there existed but two objects—the church and the world, of neither of which did it ever occur to her to attempt an analysis. One was all good, the other all evil—although here, perhaps, her rich natural charity arrested in some degree her aversion. Such being her attitude toward external things, Mlle. de Guérin was certainly not enlightened. But she was better than this—she was light itself. Her life—or perhaps we should rather say her faith—is like a small, still taper before a shrine, flickering in no fitful air-current, and steadily burning to its socket.

To busy New Englanders the manners and household habits exhibited in these letters are stamped with all the quaintness of remote antiquity. But for a couple of short sojourns in Paris and in the Nivernais, a journey to Toulouse, and a visit to the Pyrenees shortly before her death, Mlle. de Guérin's life was passed in an isolated château in the heart of an ancient

province, without visitors, without books, without diversions; with no society but that of her only sister, a brother, the senior of Maurice, and her father, whom the reader's fancy, kindled by an occasional allusion, depicts as one of the scattered outstanding gentlemen of the old *régime*—proud, incorruptible, austere, devout, and affectionate, and, with his small resources, a keen wine-grower. It is no wonder that, in the social vacuity of her life, Mlle. de Guérin turned so earnestly to letter-writing. Her only other occupations were to think about her brother Maurice, to spin by the kitchen fireside, to read the life of a saint, or at best a stray volume of Scott or Lamartine, or Bernardin de Saint-Pierre; to observe zealously the fasts and festivals and sacraments of the church, and to visit sick peasants. Her greatest social pleasure seems to have been an occasional talk with an ecclesiastic; for to her perception all priests were wise and benignant, and never commonplace. "To-morrow," she writes, "I shall talk sermon. We are to hear the Abbé Roques. He is always my favorite preacher. *It is not that the others are not excellent.*" There is something very pathetic in the intellectual penury with which Mlle. de Guérin had to struggle, although there is no doubt that the unsuspecting simplicity of vision which charms us in her writing is largely owing to the narrow extent of her reading. The household stock of books was small; it was difficult, both on account of the exiguity of the means of the family and its remoteness from a large town, to procure new ones; and in the case of Mlle. de Guérin herself, the number of available works was further limited by her constant scruples as to their morality. It must be owned that she knew few works of the first excellence. She read St. Augustine and Fénelon and Pascal, but for the most part she got her thoughts very far from the source. Some one gives her Montaigne, but, although she is no longer a young girl, she discreetly declines to open him. "I am reading for a second time," she writes, "Bernardin de Saint-Pierre, an amiable and simple author, whom it is good to read in the country. After this I should like 'Notre Dame de Paris,' but I am afraid. These novels make such havoc that I dread their passage; it terrifies me simply to see their effect on certain hearts. Mine, now so calm, would like to remain as it is." So, instead of the great men, she contents herself with the small. "You see," she elsewhere says, "we are keeping the Month of Mary. I have bought for this purpose at Albi a little book, 'The New Month of Mary,' by the Abbé Le Gaillan; a little book of which I am very fond—soft and sweet, like May itself, and full of flowers of devotion. Whoever should take it well to heart would be agreeable to God and *en admiration aux anges*. . . . Read it; it is something celestial."

It is difficult to give an idea of the intimacy, the immediacy, of Mlle. de Guérin's relations with the practice of piety. Not an incident but is a motive, a pretext, an occasion, for religious action or reflection of some kind. She looks at the world from over the top of her *prie-dieu*, with her finger in her prayer-book. "Mlle. d'H.," she writes, "comes to edify me every second day; she reaches church early, confesses herself, and takes the communion with an *air d'ange* that ravishes and desolates me. *How I envy her her soul!* . . . Her brothers, too, are little saints. The eldest, etc. . . . Is n't it very edifying?" And again: "I am in every way surrounded with edification, fed upon sermons and discourses. Such a good Lent as I have passed!" Describing to a dear friend, a young lady of her own age, a peculiar ceremony which she had witnessed on a young girl's taking conventual vows: "They say," she concludes, "that everything the novice asks of God at this moment is granted her. One asked to die; she died. Do you know what I would ask? *That you should be a saint.*" The reader will, of course, be prepared to find Mlle. de Guérin a very consistent Catholic—a perfect, an absolute one. This fact explains her, and we may even say excuses her. So complete a spiritual submission, so complete an intellectual self-stultification, would be revolting if they were a matter of choice. It is because they are a matter of authority and necessity, things born to and implicitly accepted, that the reader is able to put away his sense of their fundamental repulsiveness sufficiently to allow him to appreciate their incidental charms. It is the utter consistency of Mlle. de Guérin's faith, the uninterruptedness of her spiritual subjection, that make them beautiful. A question, a doubt, an act of will, the least shadow of a claim to *choice*—these things would instantly break the charm, deprive the letters of their invaluable distinction, and transform them from a delightful book into a merely readable one. That distinction lies in the fact that they form a work of pure, unmitigated *feeling*. The penalty paid by Mlle. de Guérin and those persons who are educated in the same principles, for their spiritual and mental security, is that they are incapable of entertaining or producing ideas. There is not, to our belief, a single idea, a single thought, in the whole of these pages. On the other hand, one grand, supreme idea being tacitly understood and accepted throughout—the idea, namely, of the Church—and a particular direction being thus given to emotion, there

\* "Lettres d'Eugénie de Guérin." Paris: Didier. 1866.

"Letters of Eugénie de Guérin." New York: Alexander Strahan & Co. 1866.



is an incalculable host of feelings. Judge how matters are simplified. Genius and pure feeling! No wonder Mlle. de Guérin writes well! There are, doubtless, persons who would be ill-natured enough to call her a bigot; but never would the term have been so ill applied. Is a pure sceptic a bigot? Mlle. de Guérin was the converse of this, a pure believer. A pure sceptic doubts all he knows; Mlle. de Guérin believes all she knows. She knows only the Catholic Church. A bigot refuses; she did nothing all her life but accept.

The two great events of Mlle. de Guérin's life were her visit to Paris on the occasion of the marriage of her brother Maurice, and his death, in Languedoc, eight months afterwards. Paris she took very quietly, as she took everything. What pleased her most was the abundance and splendor of the churches, in which she spent a large portion of her time. She had changed her sky, but she did not change her mind. The profoundest impression, however, that she was destined to receive was that caused by her brother's death. He died on the best of terms with the Church, from which he had suffered a temporary alienation. Her letters on the occasion of this event have an accent of intense emotion which nothing else could arouse. We cannot do better than translate a portion of one, which seems to us to possess a most painful beauty:

"For a week now since he has left us—since he is in heaven and I am on earth—I have not been able to speak to you of him, to be with you, to unite with you, my tender friend, also so dearly loved. Shall we never be disabused of our affections? Neither sorrows, nor rapture, nor death—nothing changes us. We love, still love—love into the very tomb, love ashes, cling to the body which has borne a soul; but the soul, we know that is in heaven. Oh, yes! there above, where I see thee, my dear Maurice; where thou art awaiting me and saying, 'Eugénie, come hither to God, where one is happy.' My dear friend, all happiness on earth is at an end; I told you so; I have buried the life of my heart; I have lost the charm of my existence. I did not know all that I found in my brother, nor what happiness I had placed in him. Prospects, hopes, my old life beside his, and then a soul that understood me. He and I were two eyes in the same head. Now we're apart. God has come between us. His will be done! God stood on Calvary for the love of us; let us stand at the foot of the cross for the love of him. This one seems heavy and covered with thorns, but so was that of Jesus. Let him help me to carry mine. We shall at last get to the top, and from Calvary to heaven the road is not long. Life is short, and indeed what should we do on earth with eternity? My God! so long as we are holy, that we profit by the grace that comes from trials, from tears, from tribulations and anguish, treasures of the Christian! Oh, my friend! you have only to look at these things, this world, with the eye of faith, and all changes. Happy Father Trubert, who sees this so eminently! How I should like to have a little of his soul, so full of faith, so radiant with love! . . . How things change! Let us change, too, my friend; let us disabuse ourselves of the world, of its creatures, of everything. I only ask for complete indifference."

#### THE TWO WHEATONS.\*

RICHARD H. DANA'S edition of "Wheaton's International Law" "contains nothing," Mr. Dana says, "but the text of Mr. Wheaton, according to his last revision, his notes, and the original matter contributed by the editor." This statement Mr. William Beach Lawrence, editor of a previous edition of Wheaton, flatly contradicts. Omit, he says, such of Mr. Dana's notes as relate to events that have occurred since the end of 1862; omit Mr. Dana's quotations from President Woolsey's little book on international law, and there will be nothing left for which Mr. Dana is not directly indebted to his annotations. And, in Mr. Lawrence's opinion, this identity is not due to the fact that he and his rival have studied the same subject, and studied it in the same authorities. It is a case of one man's being robbed by another of the fruits of his toil, and it calls for a suit at law. Mr. Dana has used, without changing a word of the English, his translations of French, Spanish, Italian, and German authors; he has quoted, as if he had specially consulted them, foreign works of which there is in America no other copy than the single copy in Mr. Lawrence's possession; he has made use of facts as familiar illustrations which Mr. Lawrence derived from his own correspondence with the publicists of Europe. To do this is certainly to borrow without leave and without acknowledgment of obligation, even with a denial of obligation, the results of another's labor, and, as we have said, Mr. Lawrence intends to institute legal proceedings for indemnification.

Certainly, it will be a case that must necessarily be full of difficulties for the complainant, to say nothing of the judge or jury. Phillimore, or Bello or Hautefeuille, studying a mass of facts, evolves by laborious thought

a principle of international law. It is easy to see that no man has a right to quote a passage containing what has been thus excoagulated without giving due credit to the thinker. No man at any rate may, for a certain length of time, use such knowledge as his own. Sooner or later, of course, all the literature of mere knowledge becomes common property, and some of it, as, for instance, the literature produced by these annotators, whose work for the most part is to elucidate one author by passages drawn from another, seems hardly to be literature and hardly to be anything else than common property from the beginning. Suppose that one writer to-day quotes a sentence from Hautefeuille as being applicable to a certain passage in Wheaton, and a year hence another writer, annotating the same passage, quotes the same sentence, on what principles shall a judge or jury condemn him for doing so, or how will his predecessor prove that the sentence was taken from Hautefeuille at second hand, was really stolen from himself? The defendant will at once say that the pages of Hautefeuille, Von Martens, Bello, or any other writer on international law, if he is a writer of sufficient importance to be quoted at all, are open to all the world. He may say, too, that, in all probability, if any two men not studious of mere elegance were to translate one or two, or two thousand, sentences from any foreign author, especially from an author with a style abounding in legal forms of speech, their translations would almost certainly be nearly identical in phrase. And in the case of those imported volumes of which Mr. Lawrence speaks, how is a man to prove that he alone, of thirty odd millions of Americans, has in fact obtained a particular volume which it is possible for any one of the thirty-odd millions to obtain by sending for it?

The case will, therefore, be an interesting one both for the intricate nature of the semi-literary question that is to be decided and because the charge, a very easy one to make, must of necessity be an extremely hard one to establish. We have no right nor any wish to take sides in a controversy which is to be carried on in the courts, in which evidence is to be produced of which we can hardly know anything, and which, indeed, as we have said, relates to a question that is only semi-literary and to a branch of literature that can hardly be said to deserve the name. But some general remarks on the matter in dispute will not be out of place nor altogether without interest.

As a rule, the same passages form the subject of comment and annotation by both the editors, though Mr. Dana has notes, especially in the last chapters, on many passages upon which Mr. Lawrence has none, and upon a less number of passages there are notes by Mr. Lawrence and none by Mr. Dana. The whole body of Mr. Dana's notes, which are two hundred and sixty-eight in number, if printed in *THE NATION*, would make something like ninety pages. The mass of Mr. Lawrence's, of which there are two hundred and forty-nine, is larger, and in his book there is an appendix, in the nature of notes and addenda to these notes, which swells the volume of his contributions considerably more.

As has been seen, Mr. Lawrence admits that a certain part of Mr. Dana's notes, those relating to events that have occurred since the last edition of Lawrence's Wheaton was published, are entirely Mr. Dana's. This at once removes quite a large portion of the matter furnished by the last editor out of the region of controversy. There is another class of the notes which would in part, but not wholly, come under the description above given—the class derived from Mr. Dana's long practice in the prize courts and his intimate familiarity with the law of prize, which also Mr. Lawrence, it is probable, would freely admit to be Mr. Dana's. And to these must be added another and a smaller class, which Mr. Lawrence, we suppose, would hardly challenge as his own, in which many of the general questions growing out of the rebellion are treated of from a very decidedly Northern point of view.

Excluding all notes that Mr. Lawrence, or Mr. Lawrence's counsel for him, would concede to have been not borrowed from his edition, we suppose, after a pretty careful collation of the two volumes, that of Mr. Dana's above-mentioned ninety pages of *THE NATION*, about thirty pages, be the same more or less, would be left as the subject of dispute. The instances upon which he would probably rest his claim are such as these that follow. Of course it is impossible in a short article of this kind to quote the longer notes, and we confine ourselves to the shorter, without, however, as we think, detracting anything from the strength of Mr. Lawrence's case.

On page 30 of Wheaton he speaks of treaties that cease to be obligatory on the parties to them by reason of "a change in the social organization of one of the contracting parties, of such a nature and of such importance as would have prevented the other party from entering into the contract had he foreseen this change." Mr. Dana has the following note upon this passage:

"The separation of Belgium from the kingdom of the Netherlands, and the change wrought thereby in the relations of Holland with the great

\* "Elements of International Law. By Henry Wheaton, LL.D. Edited, with notes, by Richard Henry Dana, LL.D." Boston: Little, Brown & Co. Pp. 749.

"Elements of International Law. By Henry Wheaton, LL.D. Edited by William Beach Lawrence." Boston: Little, Brown & Co.; London: Sampson Low & Co. Pp. 1,142.

powers, were held by the United States to justify it in withdrawing from an agreement to accept the King of the Netherlands as an umpire on the north-eastern boundary question. When Texas agreed to unite itself to the Republic of the United States, France and England notified her that she did not thereby cease to be bound by her treaty obligations with those powers. —Lord Aberdeen to Mr. Eliot, Dec. 3, 1845, Sen. Doc. vii., 375." [D.]

Mr. Lawrence has no reference to the King of the Netherlands:

"On the occasion of the annexation of Texas the British Government instructed their minister to call the attention of the Texan Government to the treaties existing between Great Britain and Texas, and to remind them that the voluntary surrender of their independence by the Government and people of Texas will not annul these treaties. On the contrary, that their stipulations will remain in precisely the same situation as if the Texans had remained an independent power.—Earl of Aberdeen to Mr. Eliot, Dec. 3, 1845. Similar representations were made by France through M. Saligny, chargé d'affaires. Senate documents, 29 Cong., 1 sess., Vol. VII., No. 375." [L.]

On page 36, Wheaton is treating of "National and Sovereign States," and speaks of the Ionian Islands. Mr. Dana's note is as follows:

"During the Crimean war the British courts held that the Ionian Islands were not parties, not being so made by Great Britain; and that their vessels were not forbidden to trade in Russian ports.—The *Leucade Jurist*, i., 549."

"In 1864, the protectorate of Great Britain over the Ionian Islands was withdrawn, and these islands united to the kingdom of Greece. This was effected by the course described in the speech of the Queen of Great Britain to Parliament in that year:

"Her Majesty having addressed herself to the powers who were contracting parties to the treaty by which the Ionian Republic was placed under the protectorate of Great Britain, and having obtained their consent to the annexation of that republic to the kingdom of Greece, and the states of the Ionian Republic having agreed thereto, the republic of the seven islands has been formally united to the kingdom of Greece; and her Majesty trusts that the union so made will conduce to the welfare and prosperity of all the subjects of his Majesty the King of the Hellenes."

Mr. Lawrence wrote before it was possible to give the history of this cession of the seven islands or the extract from the Queen's speech. The following is his note:

"At the commencement of the Russian war an opinion had been given, as announced by Lord John Russell in the House of Commons 2d of June, 1854, by the law officers of the crown, that the Ionian Republic being under the protection of her Majesty, could not be considered as a neutral state, and that the Ionian Republic must take part with Great Britain with respect to the war in which she was engaged, though not bound to carry on active measures of warfare; and that, therefore, vessels sailing under the Ionian flag were not to be considered as sailing under a neutral flag.—Hosack on Rights of Neutrals, p. 117."

"It was, however, subsequently decided in the British Court of Admiralty that the right of Great Britain was drawn from treaty, not from conquest, and that by the seventh article of the convention creating the protectorate the trading flag of the Ionian Islands was acknowledged as the flag of a free and independent state. Great Britain might have included the Ionian Islands in the war, but she had not done so. The Ionian Islands were not included in the treaties made by Great Britain, unless specially named, nor were Ionian vessels within the clause of the order in council of the 15th of April, 1854, which forbade British ships from trading with enemy's ports.—*Jurist*, Vol. I., N. S., p. 549. *Leucade*. See also Twiss, 'Law of Nations,' Vol. I., p. 55."

On page 220 Wheaton is speaking of the "Rights of Legation," and states that a minister cannot be expected, except in certain cases, to communicate to the government to which he is accredited the instructions that he may have received from his own government. Mr. Dana says in his note:

"It is understood that a minister of foreign affairs may decline to hear a despatch, or other written communication, read to him by a diplomatic agent, unless a copy is left with him. The reason is, that it puts him to the disadvantage of being obliged to trust to his memory, while the other party to the interview has the writing. In cases of verbal communication the two parties are on an equality."

Mr. Lawrence had previously written upon this passage the following note:

"The minister of foreign affairs may refuse to allow a communication to be read to him by a foreign minister from his government, unless a copy is to be left with him. Mr. Canning, in a letter to Lord Grenville, at Paris, dated March 4, 1825, says: 'The last three mornings have been occupied partly in receiving the three successive communications of Count Lieven, Prince Esterhazy, and Baron Maltzahn of the high and weighty displeasure of their courts with respect to Spanish America. Lieven led the way on Wednesday. He began to open a long despatch, evidently with the intention of reading it to me. I stopped him, *in limine*, desiring to know if he was authorized to give a copy of it. He said, No; upon which I declined hearing it unless he would give me his word that no copy would be sent to any other court. He said he could not undertake to say that it would not be sent to other Russian missions, but that he had no notion that a copy of it would be given to the courts at which they were severally accredited. I answered

that I was either to have a copy of a despatch which might be quoted to foreign courts (as former despatches had been) as having been communicated to me and remaining unanswered, or to be able to say that no despatch had been communicated to me at all. It was utterly impossible for me, I said, to charge my memory with the expressions of a long despatch once read over to me; or to be able to judge on one such hearing whether it did or did not contain expressions which I ought not to pass over without remark. Yet by the process now proposed I was responsible to the king and to my colleagues, and ultimately, perhaps, to Parliament, for the contents of a paper which might be of the most essentially important character, and of which the text might be quoted hereafter by third parties as bearing a meaning which I did not on the instant attribute to it, and yet which, upon bare recollection, I could not controvert. Lieven was confounded. He asked me what he was to do? I said, What he pleased; but I took the exception now before I heard a word of his despatch, because I would not have it thought that the contents of the despatch, whatever they might be, had anything to do with that exception."

We have not space to multiply examples of this kind, nor to cite any translations from foreign authors. And, of course, we do not profess to know whether or not Mr. Dana has had access to the books from which he makes citations. Of the translations we may safely say that we find no identity of language that can be called "miraculous," as Mr. Lawrence calls it in a published letter which bears marks of having been written hastily. As we have said, if the case goes into court at all, it will have to rest mainly upon such instances of coincidence or appropriation as those which we have given above, and the public will watch the proceedings with interest.

### THE WAY OUT OF BARBARISM.\*

DETESTATION of the vices and errors incident to the development of the human race has, in these latter days, softened at least into pity, if not into a sort of respect. We have begun to appreciate the furlong of our forefathers as the condition precedent of our league of progress. Hence new judgments of institutions and of men, and clearer conceptions of the times which are past; and, reasoning backwards from this philosophy, a natural belief that the grossest forms and customs now obsolete coincide with the earliest periods of human existence. While it is true, however, that the ancient Germans, for example, were not such models of manhood as some of their descendants, relying on Tacitus, have represented them, it is equally true that the four judicial practices which Mr. Lea studies in their historic sequence, grow more and more cruel and revolting as they approach our civilization, until they are finally abandoned.

The wager of law or compurgation is traced to an age in which the principle of the clan assumed a larger expansion in its peaceful than in its violent aspect. It was a step towards order and a social state. Though seemingly the most absolute recognition of individualism, it was in reality a restraint upon it. Swearing by wholesale took the place of fighting by wholesale, and this lasted till the evils of perjury became unendurable, and men sought some better way of deciding the doubtful issues which arose in the courts. The preposterous exaction of negative proofs was still persevered in, though it was the root of the whole difficulty; but the accuser was encouraged to make good his charges in the *champ clos*, in the judicial duel or wager of battle—which was not, apparently, as Guizot pretends, in the beginning a substitute for the right of private vengeance, and so always claimable by law, but was employed like, and as a remedy for, compurgation, when testimony was defective. The notion of God's judgment which it involved was certainly strengthened by the introduction of Christianity, but perhaps belonged to it originally. This, too, had its day in civil and in criminal cases, with extensions not calculated to further the ends of justice, and at last stultifying itself by the admission of champions. The growth of commerce, the rising might of the communes, the decay of feudalism before them both and before the centralizing tendencies of monarchs like St. Louis and Philippe-le-Bel, together especially with the revival of the civil law that followed the discovery at Amalfi of the Pandects of Justinian, in the twelfth century, effected the transition not from superstition to superstition—for that remained the same—but from ruder to more subtle kinds of force. The ordeal was indigenous with the Barbarians, but the Church judiciously fostered it for her own advantage, and to combat with it other Pagan observances which she deemed more objectionable. All the forms of the ordeal were not directed against flesh and nerves, but some, like that of bread and of blood, appealed only to the imagination, though with sufficient impressiveness. The sacredness of the human body, however, is manifestly diminished before such tests as the ordeal of boiling water, of red-hot iron, and of fire itself, when compared

\* "Superstition and Force. Essays on the Wager of Law—the Wager of Battle—the Ordeal—Torture. By Henry C. Lea." Philadelphia: Henry C. Lea. 1866. Pp. 407.



with the fair play of an open encounter even with a professional and hired champion. Feudalism clung also to the ordeal in resisting its own overthrow, and protested to the last against the innovation of the torture, which neither China nor India had transmitted, but Greece and Rome, and which was familiar to the Barbarians only in the examination of slaves. Uncivilized Russia was more backward (*because she was uncivilized*) in accepting this practice than the semi-civilized peoples of the west of Europe, who, however, for a full century after the discovery of the Pandects, showed little affection for it. Here the Church, by means of its Inquisition, came in powerfully as an auxiliary, and gave to the torture a far wider application than even corrupt and imperial Rome—an example which the Calvinism of Scotland in the sixteenth century followed only too closely, indeed incredibly.

Mr. Lea, in his very scholarly and truly critical essays, has not failed to notice the duration of the several customs above enumerated. He shows that the wager of law was demanded and allowed in England in 1799 and in 1824, and was not formally abrogated till 1833; that the wager of battle was abrogated in the same country in 1819; that in 1860 the kinsmen of a murdered man in Philadelphia begged the coroner to allow them to bring the suspected assassin to the ordeal of blood, *i. e.*, by making him touch the corpse; that the torture survived in Germany till nigh the middle of the present century; and that, if Garibaldi uncovered what was asserted at Naples and Palermo, we have in Bomba the latest European protector of that atrocious system. Our author also alludes to the use of the cold-bath torture in punishing and even in detecting deserters from our armies during the late war against rebellion—an instrument for which we saw in a slave-pen at Alexandria, converted into a prison for deserters, and whose new application we remember to have thought scarcely less inhuman and indefensible than the old. And, after all, is not war itself—war, we will say, between sovereign states, which admit no arbiter—is not this a remnant both of superstition and impiety, the wager of battle on a frightful scale? Here we have precisely accuser and accused, and no possibility of a decision—because each party is judge in its own case and will allow no other. What is decided by a resort to arms—a right? But is God, then, always on the side of the heaviest battalions, and does he approve this meeting of hired champions while one monarch stays at Vienna and the other at Berlin? We seem to have passed the time when such interpositions should be seriously imputed to a merciful Providence.

"If ever there was a woman," says the mother of Felix Holt, the Radical, "could talk with the open Bible before her and not be afraid, it's me." This illustration, which reminds us that the ordeal has not yet altogether vanished from our thoughts or lips, at least, shall also remind us of the almost universal ordeal of the witness-oath, for such it is. Leaving out of sight the question whether the oath is a safeguard of truth and the handmaid of justice in our courts, it will not be denied that its administration is in effect to invoke upon the perjurer the special punishment of the Almighty. For ourselves we may attach to it no consequence whatever—to him who is grounded in principle it can be of little worth—but we do avail ourselves of the superstition of those less enlightened and less principled than we, by affecting to believe with them that a lie is more odious to God when he has been called to witness that it is the truth than when no such attention has been requested. In other words, we countenance the idea that God is more alive to certain modes and seasons of offence than to others, as if his all-seeing eye needed the placing of a hand upon the Book to penetrate the secret intention of a deceiver in order to visit upon him the exact measure of his retribution.

## TWO BOOKS OF SPANISH TRAVEL.\*

OLD Spain is tolerably well known to the public, both through Mr. Ford's book and several guides and handbooks which have appeared within the last few years. Mr. Blackburn has, in the handsome volume before us, added little or nothing to our knowledge; and, in fact, it does not appear, judging from what he says in his preface, that he hoped to do so. The only incident of Spanish travel with which he makes us acquainted is the badness, irregularity, and discomfort of Spanish railroads. The book is, in fact, a meagre record of a journey over old and familiar ground, written in an unpretending style; but the illustrations are excellent. The engraver and printer have lavished all the resources of their art on the whole work.

It is difficult to give the reader any account of Mrs. Byrne's book in

which we shall not seem to exaggerate its defects. If the rhetoric and moral reflections were taken out of it, it might be compressed into one volume half the size of either of the two before us. We have waded through it, in the hope of finding something about Spain which is not told by Ford or Murray, but in vain. Mrs. Byrne simply relates at great length, and in the most execrable English, the story of a very commonplace journey performed by a lady with apparently ordinary powers of observation. Her style is so vicious and her diffuseness so great that we would advise nobody to follow her in her wanderings who is in search of entertainment, and as a source of information her book is rendered well-nigh worthless by the load of verbiage and "philosophical" reflection in which every fact is buried. Latin quotations are numerous, and most of her pages are studded with French phrases. The Spaniard "wears a look which seems to say, 'après moi le deluge';" the men "ruunt per vetitum nefas" into the smoking room of the theatre between the acts; being used to tobacco smoke is to be "crasseque sub aere nati." The idlers at the Pyrenean watering-places are "fainéants;" three ladies going on an excursion on donkeys are going on an "asinine expedition;" the party consists of the two girls and their "alma mater," who is elsewhere called their "mater familias." We are told that, owing to the stubbornness of the donkeys, "the partie was manquée," meaning that the excursion was given up; mutual explanations are "explications de part et d'autre;" bawling loudly is "bawling à tue-tête;" getting rid of a crowd is "freeing one's self from them *vi et armis*;" the right of the strongest is the "*droit du plus fort*;" workmen employed on a railroad seen taking their dinner at noon are "patulæ recubans sub tegmine fagi;" Mrs. Byrne's first glimpse of Burgos was "au clair de la lune;" her walk to the inn on foot from the station was her "trajet;" being on foot, her party were "mere piétons," and had not "the usual tests of fourgon and suite;" and the servants who came out to meet them were "valetaille." These specimens of Mrs. Byrne's style have been found in five of her pages opened at haphazard. It may, perhaps, best be characterized as the "shabby-genteel." She considers the Spaniards from a strictly respectable and English point of view.

*History of the Atlantic Telegraph.* Rev. H. M. Field, D.D. (New York: Scribner, Welford & Co.)—The Atlantic cable, as the cable itself informs us, is doing a business of nine hundred thousand pounds sterling a year, so that if it tells the truth the stockholders are properly jubilant and the world at large is well pleased. And the comic genius who the other day depicted all her sister planets looking with envious eyes upon our earth because we have a cable and they have none, and are not likely to have any, may grasp a firmer brush and paint certain of them wild with jealousy and rushing madly from their spheres, for the old cable, lost in 1865, has been sought for and found, and hereafter, instead of one precarious tie, two electric cords are to connect the American with the vast telegraphic systems of the eastern world. It is a success which no one will begrudge the men who, with noble credulity, sank so many thousands in the sea, and persevered so many years with the patience of heroes. As the writer says, "the story of such an enterprise deserves to be told," and it is a story that can be read with more pleasure than is always to be found in hearing of the "lone inventor by his demon haunted," of his hope deferred, and of other men's reaping his reward. Besides, not only is the termination of the struggle and the labors fortunate enough to gratify the reader, satisfying his sense of justice, but also more than any other enterprise of modern times, not even excepting the adventures of the brave men creeping along the shores of the icy sea in search of Franklin and his crew, this enterprise enlists the sympathies and captivates the imagination.

The book is well written. It begins with a brief account of Mr. F. N. Gisborne's baffled attempt to construct a telegraph across Newfoundland. Mr. Field goes on to tell how his brother, Cyrus W. Field, met Mr. Gisborne at the Astor House, in this city, in the winter of 1853-4; how, as he held the globe in his hands, and listened to Mr. Gisborne's plan of a telegraph overland from Cape Race to Cape Ray, and a service of carrier pigeons, and possibly a submarine telegraph, from Cape Ray to Cape Breton, Mr. Field was struck by the thought that the Atlantic itself might be spanned by the telegraph; how thereupon, perplexed by the problem of how to triumph over the lightning and the ocean, he began to consult with Morse and Maury; how he interested first Peter Cooper, then Moses Taylor, then Marshall O. Roberts, and then Chandler White, being all the time aided by the counsel and encouragement of his brother, David Dudley Field; how Cyrus Field soon made the first of his fifty or sixty ocean voyages, and got from the legislature of Newfoundland the charter of the New York, Newfoundland, and London Telegraph Company. Then we are taken back and forth many times between England and America and into the company of statesmen, and men of science, and captains of ships, till at last disappointments are done, the cable is laid, and we read the despatch which announces peace between Austria and Prussia. It is a fascinating narrative, a record of courage, audacity, cheerful perseverance, wonderful liberality and public spirit, business sagacity, scientific learning, skill, and well-deserved success obtained at last, which should have its thousands of readers, if for no better reason, than for the same reason that the last good novel is read by thousands. Rewritten after a somewhat more popular fashion, it would be one of the best of books for boys.

\* "Travelling in Spain in the Present Day. By Henry Blackburn." Scribner, Welford & Co. New York. 1866.

"Cosas de España: Illustrative of Spain and Spaniards as They Are. By Mrs. William Pitt Byrne." Two vols. Alexander Strahan, London and New York. 1866.

*Articles on any of the subjects usually discussed in this journal will be received from any quarter. If used, they will be liberally paid for; if rejected, they will be returned to the writers on the receipt of the requisite amount of postage stamps.*

*All Communications which pertain to the literary management of THE NATION should be addressed to the Editor.*

### ONE EXCUSE FOR CONSERVATIVES.

Few men who pay close attention to politics and read the newspapers can fully appreciate how large the class is who never know exactly the nature of any political issue of the day, who rarely read a newspaper report, or do more than glance through the editorial articles, and whose own political opinions are the products not of knowledge or of reflection, but of prejudices, impressions of childhood, personal antipathies and associations. This class is rarely met with in public movements, is never very earnest or enthusiastic in any political agitation, but it makes itself felt at the polls on great occasions. In this dispute between President and Congress, a very large proportion of this class is opposed to Congress not from any fixed conviction about the merits of the quarrel, but from some undefined personal like or dislike or reminiscence, personal fondness for some Southerners, recollections of a pleasant visit at the South; personal dislike to Abolitionists as "long-haired" people with a twang in their speech and bad manners; personal dislike of the negro, his appearance, or way of speaking and temperament, or from a compound of all these. It would be found, we have no doubt, on examination, that half the "Conservative" party at the North are composed of men of this kind—excellent persons, no doubt, but unfitted either by temperament or habit of mind or pursuits for the examination of any political question, or, in fact, for ever on any subject extricating their understanding from the control of their taste or prepossessions. We might, if we chose, illustrate our proposition very copiously, but we refrain from doing so in order to avoid what would be sure to prove an unprofitable controversy. Every one of our readers can, doubtless, find plenty of Conservatives amongst his neighbors answering to our description.

Now the Republican party carried these people with it during the war. Whatever may be their defects as political thinkers or humanitarians, they are generally patriots, although a large proportion of the Copperhead army was drawn from their ranks. The danger to the Union roused them from their political apathy, and they forgot for the moment their repugnance to the anti-slavery party, and acted heartily with them in preserving the national existence. The issue presented by the secessionists was so distinct that they had no difficulty in apprehending it, and the train of evils that would have followed the success of the rebellion was so clearly traced on the horizon that nobody needed to be a political philosopher or an enthusiast to see and understand it.

But the war is now over, the excitement has disappeared. The national existence is no longer in danger, and this class has relapsed into something like its old apathy and its old vagueness of thinking. It has not followed the debates in Congress very closely, or read the evidence or reports of the various committees of investigation. All it knows is that the war is over, and that the South has submitted, and at first blush—the only "blush" in which political questions present themselves to it—it seems as if the rebel States ought to be brought back to their old places without more ado. It knows there is still trouble about the negro, but it thinks that a great deal has been done for the negro, and that he may now be left to take care of himself. It has probably read the President's messages. The messages were all short; presented the various points of the controversy from his point of view in a small compass, very speciously, and with studied moderation of tone—an excellence which they probably owed to some other hand than Mr. Johnson's—and they were, of course, few in number and appeared at rare intervals.

But what is it that most probably has struck their ear most loudly from the other side? The speeches of those earnest but not very acute persons who, most unfortunately, as we think, partly owing to their zeal and partly to other people's weakness, got into the position of Radical leaders when the war was over, and have flooded the country not with what was wanted—calm, earnest expositions of the Radical position—but

with frantic denunciations of the Southern people, which, however well they sound at mass meetings, do not—let us be frank about it—tell at the polls, and frighten and disgust probably two men for every one they rouse into enthusiasm. For instance, orators of this class base all their plans of reconstruction upon the assumption that the Southern people have by their rebellion forfeited all claim to either their lives or property, both of which lie at the mercy of the North; and they insist that in refraining from hanging them all and despoiling them of their goods, we are displaying considerable moderation. Consequently, one of their strong arguments in favor of the reconstruction policy of Congress or in favor of holding the South as it is without reconstruction, is that it falls so far short of wholesale slaughter and confiscation. One most unfortunate result of this kind of talk, as well as of the various expressions of intense abhorrence of the Southern people which Mr. Stevens and men of his class of mind are constantly pouring forth, is that moderate people, the people who do not occupy themselves minutely with politics, have been easily led to believe that if Congress has its way something dreadful will be done to the Southern population; and the earlier favor which Mr. Johnson managed to win was due to the widespread impression that he was opposing himself to shocking violence and oppression meditated by the Radicals. Mr. Raymond is thus enabled to inform the public, in the Philadelphia address, with amusing exaggeration, that if the Southerners could accept "with uncomplaining submissiveness the humiliations thus sought to be imposed on them, they would be unworthy citizens of a free country, degenerate sons of an heroic ancestry, unfit ever to become guardians of the rights and liberties bequeathed to us by the fathers and founders of this Republic;" and Dr. Tyng and Mr. Beecher, and hosts of others, are thus enabled to read lectures to Congress on its want of "magnanimity," and to preach to the public the duty of "forbearance" towards the South with a certain show of justification.

Now, we think all persons interested in the triumph of the policy of Congress at the approaching elections will do well to try and put an end to this misunderstanding by every means in their power. We ought for this purpose to stop at once and for ever that rant about the Southerners "having forfeited their lives by their rebellion" which we are sorry to see Mr. Stevens has just been repeating at Bedford, and which a good many people with more moderation than he now and then indulge in. On no theory of our relations to the South are either the lives and property of the vanquished "at our mercy." If they are subjugated rebels, we have, undoubtedly, a moral and legal right to execute certain persons for treason; but usage, policy, humanity, and religion prescribe that the number of persons thus punished should be small, and that they should be the leaders of the movement and no others. The right of a sovereign to execute a couple of millions of people for rebellion against him has never been claimed by any Christian potentate, and has never been exercised by any heathen one; and for us, of all nations in the world, even to talk of such a thing, is worse than disgusting.

If, on the other hand, the Southerners are conquered enemies, our right to kill and despoil them after they have laid down their arms is all moonshine, and to have any man calling himself even a politician talk of deducing a policy from it, is more than silly. No such right has ever been asserted in the modern world; nobody has ever massacred even thousands of his enemies in cold blood since Christ came, except Genghis Khan and Tamerlane, two dignitaries whom the Christian public of the North are not likely to take for models. It is revolting to hear civilized Americans talk of their abstinence from such a crime as a proof of moderation, and it is time we had an end of this nonsense. It disgraces us, and damages the good cause which the majority of the people of the North have at heart.

The facts of the case are that the South has been beaten in arms when engaged in a most criminal and atrocious attempt to overthrow the Government and found a state on slavery; that justice and sound policy, and a proper regard for our own dignity and for our reputation for sincerity, require the punishment of the chief instigators and agents of this enterprise; but that the community at large are not fit objects for punishment; that no attempt can be made to take vengeance on a whole people which will not debase and degrade the ruler



far more than the ruled. The punishment of nations for national sins God has clearly reserved to himself, and anybody who reads history rightly may see clearly that this punishment is sure, sooner or later, to come. If the South as a community has not yet sufficiently atoned for its iniquities, it will assuredly do so in some form or other; but this matter we may safely leave in the hands of Providence. Our business now is not to punish, not to take vengeance, not to excite or perpetuate hatred or malevolence towards the late rebels, but to take such fair and humane precautions for the future peace and tranquillity of this nation as we may deem fit. This and no other is the power which our victory in war gives us, and we are called upon to exercise it not because the lives and property of six millions of our enemies are at our mercy, but because we are moral beings and patriots who love our country and our kind, and are bound to see justice reign and weakness protected. The terms proposed by Congress are, therefore, not terms of conquest and not signs of humiliation. There is nothing in them to degrade or humiliate any human being, or to indicate any desire for vengeance. They simply regulate representation to suit the altered circumstances of the Southern population; they ask that men who made themselves prominent in the attempt to overthrow the Government shall, in common decency, from common regard for the feelings of the rest of the population, abstain during the remainder of their career from participation in the administration of affairs; that persons who took no part in the rebellion shall not be taxed to repay the money lent to carry it on; lastly, that all persons born in the Union and owing it allegiance shall be treated by Southern law as citizens of the Union. In short, the whole amendment is simply a provision for what? Placing the Southern whites under the feet of the North? making them its vassals, tributaries, serfs, dependents? Nothing of the kind. It is really difficult to keep from laughing when saying that the terms which the vanquished foe cannot accept without "degradation," which it would show want of magnanimity on the part of the North to insist on, and which the *New York Times* tells us they cannot and will not agree to, simply place them on the same level in all respects with their conquerors, and make them freer and more independent than any other community in the world—are perhaps the mildest terms which victory, so dearly bought, ever imposed on the vanquished—furnish perhaps the only instance on record in which the victors, in fixing the terms of peace, forbore to ask for a single advantage for themselves, a foot of ground, a cent of money, or even a formal acknowledgment of defeat, or submission, or repentance.

#### THE MEXICAN FINANCES.

THERE are circumstances under which communities may subsist for a time without finances, but those conditions are not to be found in the case of governments originating in the schemes of alien speculators, political or pecuniary. The gentlemen who bought up the claims of Jecker at a liberal discount are not the parties to cling to the "country of their choice" at the sacrifice of their lives, their fortunes, and their sacred honors. The political philosopher who has undertaken a conquest to enable the Latin race to make more money than the Teutonic will hardly persevere when every soldier he sends forth is found to destroy more wealth than a whole commune can produce. On the question of the Mexican Empire, therefore, he may claim to speak by the card who speaks by the figures.

Before the expedition was undertaken the annual expenditures of the French Government were about \$300,000,000. In 1862 they reached \$442,500,000; in 1863, \$458,400,000; and in 1864, \$454,000,000. The difference for three years is \$152,400,000, while another \$150,000,000 has been borrowed by Maximilian in France on the guarantee of his imperial brother. American finances might bear such a strain without danger; Napoleon is compelled to look more closely to his safety-valve.

The convention with France, adopted on the eve of Maximilian's accession, exacted from the latter an indemnity of one thousand francs per annum for every French soldier in the country, the number of which Napoleon was at liberty to reduce to 25,000 at once, and then to withdraw at any time, binding himself only to leave the foreign legion of 8,000 troops in Mexico for three years to come. With these "guarantees" the archduke took charge of the independence of a country

which had just extinguished the last dollar of its domestic debts by the sale of the ecclesiastical domains, and which acknowledged a debt to Spanish, English, and French subjects (including \$1,984,000 to the Swiss, Jean B. Jecker) of \$81,632,560, bearing an interest of \$2,760,020 per annum, including which its yearly expenses amounted to \$11,078,438. For this country he has "adjusted" the Jecker claim at \$5,000,000, and has contracted, all in all, an additional burden of \$190,103,040, bearing \$10,206,182 interest. While the salary of Juarez was \$30,000, the civil list of Maximilian, paid monthly, is \$1,500,000 per annum, including which the total expenditures have risen to \$49,929,326 a year. Of the first eighty millions of additional debt, the bonds of which were issued at 63, and have since sunk to 46, so much was absorbed in advance reservations, differences, brokers' commissions, payments to the French army and navy, and foreign interest, that but \$8,000,000 ever reached the country.

The efforts which have been made to meet these demands manifest their futility in their very excess of vigor. It has become impossible, at the present day, in the wildest no less than in the most civilized countries, to draw permanent revenues from a people against their will. On the 26th of May last a decree exacted by way of taxation a sixth of the annual revenue of all town lands, and a seventh of that of country lands. On the 2d of August it was revoked as impracticable, and its place supplied by an impost of eight per mill. upon the capital value. Commercial houses in Vera Cruz are now subjected to license fees ranging from \$1,000 to \$3,000 per annum. The custom-houses, virtually the sole available sources of revenue, produced about \$8,000,000 per annum until about the 1st of June last, when a sort of domestic revolution occurred, the result of which was to pension the Emperor upon the French army-chest in an amount of about 500,000 francs a month for his most urgent expenses, besides the payment of his Austrian and Belgian auxiliaries, in consideration of his surrendering the collection of the customs into the hands of the French subalterns. This at once doubled their productiveness, and induced Marshal Bazaine to declare himself in favor of continuing the occupation if placed permanently in control of this source of supply. The monarchy has not more signally failed in establishing that "order" in society which is its own criterion of perfection than in cultivating that fidelity in public servants with the absence of which it loves to taunt republics. The crown agents speculate as nimbly as the "demagogues."

Even these measures having failed not only to balance the public accounts, but even to satisfy the needs or the rapacity of the French, Maximilian was compelled, on the 15th of July, to consign the ministry of finance to the commissary-in-chief of the French army; and even then his reward has been the declaration of the French paper that "the empire is playing its last card;" that "the penury of the treasury is a secret to no one;" and that unless martial law is proclaimed, even with the most stringent financial measures, "the empire will die of inanition before the first million of dollars can be collected." No commentary could improve the ghastly distinctness of such a text.

But for the foregoing facts, not even the fear of Mr. Seward's despatches would have been required to carry both the Emperors and their Frenchmen across the Atlantic months ago. But the fact is that the financial situation is such as will yet generate volumes of diplomatic correspondence. The French invasion was undertaken on pretence of collecting a debt of five millions of dollars, repudiated by the Republican Government. Now there is an unpaid debt of two hundred millions, which the returning Republican Government will most certainly not acknowledge. How can France pocket the refusal? How can she enforce her claims without remaining? How can she remain without prolonging her invasion? How can she prolong her invasion without our consent? She has already "suggested" to Maximilian the propriety of a pledge of the port duties of Vera Cruz and Tampico (the latter of which towns happens to be, for the nonce, in the hands of the Republicans), to be collected by her own officers, sustained, of course, by her own soldiers. If the port duties of all Mexico produce eight millions per annum, how long will it take French *douaniers* at Vera Cruz and Tampico, protected by garrisons, to defray the expenses of their occupation and extinguish a principal of two hundred and fifty millions, together with its interest? Will it not be necessary to keep Maximilian caged and crowned during the

whole period of the exploitation, in order to keep up appearances? With or without the sequestration of Maximilian to give it color, will not the sequestration of Vera Cruz and Tampico infringe on the Monroe doctrine, and violate the pledge given by the French to the United States Government? Does not the state of things portend a chronic occupation of the coast, irksome to all parties and profitable to none, after the fashion of the interminable Franco-Roman imbroglio? In short, is it not emphatically a case for invoking the assurance of our Secretary of State that "if we keep cool we shall be in the end about right," and that "in sixty days the nation may take hope and courage?"

The French are evidently alive to the position of things. A Paris letter-writer professes to have been enlightened by a journalist who is supposed to receive his inspirations directly from the Department of Foreign Affairs. He would ask the United States, if Maximilian should abdicate, to give them one of our generals or distinguished heroes (provided we can spare one), whom they would appoint chief magistrate of Mexico; and if our heroes cannot be spared, then we shall appoint one of their generals, not by any means to govern Mexico—for which they seem to have lost the taste by experience—but only to protect their residents, and *hold security for their claims against the country*. "In fact, we would conjointly act as guardians of Mexico until that unfortunate country should have learned how to govern itself"—for the sum of two hundred millions of dollars, besides interest and costs, which the honor of France requires her to distrain, while our honor would be satisfied by acting as her co-bailiff. The inspired French journalist's solution of the difficulty is absurd enough, but that is the fault of his inspirations.

#### THE POLITICAL CRISIS IN ENGLAND.

THERE are numerous signs—and the number increases every day—that a change of some kind in English government and society is not very far distant. It has been foreseen ever since the Crimean war, by the very few Englishmen who are able to look at English society objectively, and the very few foreigners who know England well enough to criticise it intelligently. The symptoms of this change it is difficult to describe. Any one of them by itself would seem insignificant enough; but, nevertheless, in the aggregate they afford abundant food for reflection to those who are sensible of the important part which England plays in European civilization, and the important influence which she has exercised for the last hundred years on European politics. The English press is itself fully alive to the gravity of the situation. Many of the papers talk very much as a Roman philosopher of a humanitarian turn might be supposed to have talked of the fortunes of Rome and of the condition of Roman society in the days of Marcus Aurelius. There is great material prosperity; there is considerable progress in the arts, in the sciences, and in literature; the Government is well-meaning; the upper classes were never so refined, so charitable, and so pious; the condition of the lower classes has greatly improved within the last twenty years; the army is still brave, the navy still unconquered, and the empire still intact; and yet there is a *malaise* through the whole body politic which all feel, but nobody can account for—an extraordinary languor in every department of the Government, so that we are presented with the singular spectacle of a political paralysis accompanied by great commercial and literary activity.

Everybody in England, or nearly everybody, is agreed that the laboring classes ought to be educated, and yet it seems impossible to provide machinery for doing it. Everybody deplores the misery of the agricultural laborers, and yet nobody can devise a remedy. Most people would like a reform bill of some kind, but yet it seems impossible to get one passed either by Whig or Tory. The state of the army is a constant subject of anxiety to the whole nation. It is notoriously inferior in everything but the courage of the men and officers to that of all Continental powers. Recruiting is yearly more difficult, the supply of men falling below the demand as much as ten thousand at a time, but it seems impossible to invent any scheme for improving it. Seventy millions sterling have been spent in reorganizing the navy within the last twelve years. Sailing vessels have been converted into steamers, steamers into iron-clads, and yet Sir John Pakington, the

new secretary, confessed the other day that, practically, England had no navy. There is hardly a dissenting voice when it is said that the condition of Ireland is a shame and a scandal, and yet it seems impossible to agree upon and carry out any plan that will improve it. Outside the country clergy, the Irish Church establishment has hardly a defender, and yet no hand is raised to abolish it; and all this, be it remarked, in a time of profound peace, with neither foreign wars nor domestic treason to divert the attention of the country from the work of internal reform.

The men of education, too, who devote themselves to the discussion of public affairs, seem stricken with the prevailing distemper. The metropolitan periodical press has, during the last twenty years, largely fallen into their hands, and all the questions of the day are now treated in their columns by the representatives of the best class of English society—men for whom the universities have supplied the culture which Englishmen believe experience to have shown to be for political life the best in the world. They have immensely improved the newspapers in many respects—in tone, in style, in temper, and in logic; but yet their articles, to one who reads them constantly, are the most melancholy reading possible. They are apparently the productions of men to whom everything in life but literary finish and material comfort is a sham; to whom all enthusiasm is a laughable humbug; to whom all hopes of raising the condition of the mass of mankind above what it is now are chimerical—the dreams of twaddlers and fanatics; and to whom the lowest stage of human existence is that of a "dissenter," or, in other words, of a member of any one of the denominations which compose at least one-half of the Protestant Church of Europe and America. Every exhibition of feeling on the part of an educated man they treat very much as the old French nobility used to treat the engagement of one of their number in trade, and visit it with forfeiture of caste. Thus John Stuart Mill's expression of sympathy with the working classes in their recent demonstrations in London and his co-operation in the movement to bring Governor Eyre to justice, are mourned over in the *Pall Mall Gazette* as signs that the great philosopher has fallen to rise no more. To get "excited" about anything is now, in the eyes of these writers, the proof of a weak mind. Mr. Gladstone became an object of scorn and derision to them from the moment that he was betrayed into that noble burst of enthusiasm in the debate on the reform bill in which he spoke of the working classes as being "of the same flesh and blood" as his hearers, and, therefore, entitled not to the contumely which Mr. Lowe and his followers were nightly heaping upon them, but to attention, consideration, and political partnership. And perhaps nothing contributed so much to drive him from office and make him so unpopular with the young men of the political world as the discovery that he still retained in his mature age a youthful faith in humanity and in progress, and some respect for theories. The intellect of the nation seems, in fact, to have betaken itself to the work of criticism, and to that peculiarly barren kind of criticism which consists in finding fault and jeering at those who seek to provide remedies.

Aristocratic government was tried up to 1830, and was at that period pronounced a failure. It converted the nation into an athlete of prodigious force, a bruiser of incomparable dexterity, who distributed black eyes and bloody noses over the whole earth, but left his wife and family in squalor and misery. Middle-class government has now been tried ever since, and the result is a full and well-to-do merchant, whose muscle has all run to blubber, whose credit on 'Change is immense, but whose movements are so slow and uncertain, and whose will is so feeble that his servants do not obey him and his neighbors laugh at him, and his miserable work-people clamor every day more and more loudly for a share in his profits.

There is, perhaps, nothing which has done so much to fix the attention of Englishmen closely on the condition of the country as the change which has come over the relations of England with the Continent. She has been obliged, evidently very reluctantly, to withdraw from all interference in Continental affairs, or, in other words, to resign her position as one of the five "great powers"—i. e., managing powers of Europe—owing, confessedly, to her inability to support the charges of another great war. Everybody is conscious that she cannot enter on another great struggle without incurring burdens which would make great political changes inevitable. There is not a politician in England



who does not know that it would be impossible to call forth the full power of the country in a great war without admitting a larger proportion of the population to a share in the franchise, and, therefore, its position as a Continental power has been abandoned. Some journals, such as the *Economist* and *Spectator*, strongly doubt whether the Government even in time of peace can be carried on successfully much longer without a greater infusion into it of the democratic element in order to supply it with more nervous force. And what adds to the complication and increases the prevailing anxiety, is the condition of the army. It is barely sufficient for the various garrisons of the empire in time of peace. It is certain it cannot be increased by voluntary enlistment, and it is very much too small for a war. A foreign invasion would, doubtless, call a large body of men to arms; but the spectacle which Prussia has just afforded of the terrible strength which lies in the exact organization and discipline of a great trained force has almost extinguished the confidence which was felt a few years ago in volunteers and militia; and yet the empire must be maintained intact, and English dignity must be upheld, and to do these things as the world is now constituted a large and efficient army, either in *posse* or in *esse*, is absolutely necessary. It is plain to everybody that the only mode of producing it now left open is a conscription. It is pretended by the conservative newspapers that a conscription is not to be thought of because repugnant to English institutions; but this is not the real reason. The conscription for home service or the militia has always been legal, and even the system of "impressment" for the navy—the most brutal and outrageous work of securing recruits ever resorted to in a civilized country—was submitted to for two centuries without a murmur from anybody except its victims. The real reason why the project is not entertained by the ruling class, and why it never will be entertained except in the last extremity, is that the filling of the army by conscription would involve a complete change in its organization. The present system of officering it could not be preserved. The purchase of promotion would have to be abandoned, promotion from the ranks largely increased, and most of the commissions would have to be given to the pupils of military schools, selected both on their admission to the schools and their admission to the army by competitive examination. In other words, the control of it would pass from the hands of the aristocracy, and it would become, as the Prussian and French armies are, a democratic institution. What makes the crisis all the more alarming is, that the total and humiliating defeats which Austria has just sustained seem to give a finishing stroke to the plan of filling the ranks of armies with peasantry, and putting "gentlemen" only in command of them. This was the form which all armies in Europe took, naturally enough, as soon as standing armies were first organized. It lasted without difficulty until the French Revolution, when it disappeared in France. The success of the French led Stein to overthrow it in Prussia. It still survives in England, Austria, and Russia, but in England its days already seem numbered, and it is very doubtful whether it will last in Austria beyond the present year.

#### FRENCH AND ENGLISH OPINIONS ON THE EFFECTS OF THE GERMAN WAR.

THE language of the English press on the issue of the German war is not very flattering, but is very instructive to our patriotism. All agree in England that if the treaties of 1815 have been destroyed, it is not to our profit. All speak of the victories of Prussia as if those victories had been obtained over France.

The change of language about Prussia is even more astonishing than the change which was produced about America after the taking of Richmond. Do you remember the Macdonald affair? The *Times* wrote then that "the laws of Prussia seem to be made by savages and administered by ruffians." When Bismark was made first minister and bullied the Prussian Parliament, the *Daily Telegraph* compared him to St. Philip of Neri throwing his dirty shoes at the head of the nun; the *Economist* began an article with these words: "Herr von Bismark becomes a public pest;" and ended it thus: "This is why we denounce him as the public enemy of the peace of Europe." During the Danish war, the actions of M. de Bismark were qualified as *atrocious* by Lord Palmerston in the House of Commons.

When the German war began, this note was not changed; but Sadowa has made a great change. There is now not a discordant voice in the con-

cert of praise which salutes the Prussian policy. The *Standard*, a Tory organ, and but yesterday Austrian to the backbone, speaks of Prussia no otherwise than Mr. Gladstone; English Conservatism is but the echo of English Liberalism. It is still acknowledged that the pretensions which Bismark put forward to begin the war were unjust; but does not injustice become justice when it serves the interests of Europe (Europe means England)? Are not all means good for such a result? It is impossible to describe the joy with which was received the news of the Prussian refusal to the French demand for a rectification of frontier. I will not dilate here on the conduct of the French ruler; I prefer not to speak of a sovereign who pleads to the Prussian envoy that he had only made his demand to please public opinion in France, but that he, personally, did not attach importance to it. There was some grandeur in the despotic saying of Louis XIV., "L'état, c'est moi!" but what shall we think of a French Emperor who says, "La France, ce n'est pas moi!"

Let him be satisfied with the ironical praise of the *Times*: "The Emperor Napoleon has disappointed the lovers of evil. He has shown himself faithful to his device: 'The empire is peace.' It is all well! We also rejoice that peace is secured; but hear the rest: 'Nothing can now arrest the great career of Count von Bismark. Even the opposition which it was feared would counteract his plans on the side of France has helped his designs in convincing all Germans of the necessity of union.' It is evident that the *Times* would have been very sorry, now that the French demand has been unsuccessful, that it should not have been made. But one thing torments it still. Bismark has worked quickly, and he has conquered fortune, the approbation of Germany, and the world's opinion (sic). But the *Times* fears that the iron will of the minister may be unable to conquer the softer nature of the sovereign. More Gotharist than the Gotharisten, the *Times* is very impatient; it begs Bismark not to let the golden opportunity escape; it tells him that the word *impossible* is a craven word. The *Times*, it is sometimes said, is not all England. Open the *Daily News*. The *Daily News* condemns, in the most solemn style, the French papers which dare to disbelieve Bismark's liberalism; who are not satisfied with the advances made by the King of Prussia to his Parliament; who do not believe in the constitutional sincerity of the most audacious contemner of constitutional institutions. It is vain to hint that perhaps the actual advances made by Bismark to his Parliament have no other object than to obtain a vote for the reconstitution of the Prussian army, which has been imposed on the nation without a regular law; it is vain to show how much regard the Hohenzollern have for the rights of the people; to point to these characteristic phrases in the message in which the King announces the annexation of Hanover, of Hesse, of Nassau, and of the republic of Frankfurt: "We are not ignorant that only a part of the populations of these states partake with us the conviction of this necessity. We honor and respect the sentiments of fidelity and of devotedness which attach these populations to their dynasties and to their autonomous institutions. But we have confidence," etc. It is vain to demonstrate that Prussia, which does not regard the old principles of international right, does not respect any more the new principles, founded on the will and consent of the populations, and that she is satisfied with appealing to the barbarous right of conquest. Prussia has conquered at Sadowa, therefore Prussia is the great Protestant, liberal power which Providence brings forward in order to curb the pride of France. Goldwin Smith, Gladstone, Kinglake, Lord Stanley, Whigs, Tories, and Radicals, all together will applaud. The complaints of the French Liberals are nothing but the groans of national pride, wounded by the successes of Prussia. Let all ears be shut to the murmurs of Frankfurt, of the expiring republic given up to the tender mercies of Bismark; let all eyes be shut to the fact that, three months ago, more than one-half of Germany was in arms against Bismark; that German unity was born in civil war, and not, as Italian unity, in a contest against a foreign invader; that the only bond of union which Prussia can find is the prospect of a war of conquest against France, for already we hear of the annexation of Lorraine and Alsace to Germany.

Once more let me tell you what the feelings of French Liberals are in the present instance: We do not wish for any rectification of frontiers, for any conquests. To the possession of the Rhenish provinces we should prefer the friendship of the German people. Belgium covers sufficiently our northern frontier, as long as Belgium does not become the tool of a great power. We do not believe that the nations belong to the princes, and can be bargained with. But we are sorry that the absorption of Germany by Prussia should be a violent absorption; we cannot see without concern the establishment of German unity in the form of a military despotism, because we anticipate a collision between the two great Caesarisms of the Continent, and that this fatal struggle must involve Europe in ruin and misery, and perhaps bring on our nation the greatest misfortunes; because we already see all our enemies rejoicing at this prospect; because the triumph of force, when liberty

has nothing to gain by it, demoralizes the people; because German unity will be bred not by liberty, but by despotism; and if there is anything detestable it is a tyranny which covers itself with the mask of progress.

A FRENCHMAN.

### PARIS GOSSIP.

PARIS, August 24, 1866.

If the greater number of existing musicians—too great for the amount of learning and of listening to be met in our day—are doomed to vegetate in obscurity and penury, the “stars” contrive to make a very good thing of their profession; and those who, even with a less brilliant individuality, succeed in making some lucky musical “hit” have no cause to complain of any grudgingness in the rewards bestowed on them by Euterpe. Thus, while Thérèse is netting her tens and Patti her hundreds of thousands of pounds per annum, and the other luminaries of the celestial art are following as closely as they can in the steps of the two most popular *dées* of the moment, the organizers of the popular concerts which, both here and in London, are doing so much to bring the very finest classical compositions within the reach of the masses by a happy combination of the best possible rendering with the lowest possible prices, are at the same time building up for themselves handsome fortunes. Musard, who “created” the excellent out-of-door concerts of the Champs Elysées, the rendezvous during the summer months, despite the low price of admission, of all the elegance and fashion of the capital, has just purchased the magnificent château and estate of Villequier, one of the finest of the old “monuments” of Normandy; and his successor, who rejoices in the euphonious appellation of Beccelèvre (harelip), is flourishing so splendidly that he will soon, if his present run of luck continues, be able to rival the magnificences of his predecessor. The managers of the two principal operas also contrive to make a very good thing of the subvention of the Government; but the consummate musicians who compose the orchestra of the “Grand Opera,” and who are nearly all professors of their respective instruments at the Conservatory, complain bitterly of the microscopic proportions of the salaries they receive for playing four nights per week through more than half the year, exclusive of their attendance at rehearsals and being kept out of their beds every opera-night till one, two, or—as in the case of Meyerbeer’s frightfully long and fatiguing “Africaine”—till three o’clock in the morning. The orchestra of the Italian Opera is somewhat better, though still meagrely paid; but the “traditions” of the French opera in the matter of salaries seem to imply that the honor of forming part of the orchestra of so renowned a musical temple should suffice to compensate the musicians thus favored without any vulgar admixture of money. The same system of “screwing” is applied to all who figure on the brilliant stage of this establishment except the “stars,” who get, of course, pretty much what they choose to ask for. The subordinate actors, the choruses, the dancers and ballet-girls receive pittance so small as to be almost derisory; but the honor of having appeared on the stage of the Opera is eagerly coveted by all, and is useful in many ways to those who have attained to this degree of professional dignity. As for the children, so many of whom figure in the fairy ballets which bring such ample harvests to the managerial pocket, they get a few *sous* only for each night’s work; the advantages they receive in the way of training and familiarity with the work of the stage ensuring an abundance of candidates for admission to the *troupe*, even at the miserable pittance which is all that they receive in the way of salary. It seems that these poor children are sometimes made, nevertheless, a little unhappy by their poverty, and a little envious of the superior appointments of the other actors. Thus, on one of the broiling evenings that preceded the sudden cold which has so thoroughly spoiled the present month, these little people were seized with a violent desire to give themselves some ice-cream. Having put their heads together during one of the interludes, they determined to make a general subscription among themselves for the purchase of the desired dainty; but, alas! the pockets of the whole twenty-two, when emptied into the hands of one of the band, only contributed the sum of one franc, the price of a single ice in the refreshment-room in the lobby. However, armed with this franc, one of the little girls went off to the refreshment room and demanded of the “young lady” who keeps the table “one ice and twenty-two spoons.” The “young lady” professed her perfect readiness to sell the ice demanded, but utterly refused to allow the other part of the demand, alleging that only one spoon could be allowed to each ice. The poor little turner of pirouettes was just going away empty-handed in the extremity of disappointment, when a gentleman who had chanced to overhear the demand and the refusal came forward, and, handing two-and-twenty francs to the dispenser of the frigid delicacy, ordered two-and-twenty ices, each with its spoon, to be placed on a tray and carried to

the dressing-room of the little dancers, whose amazement and delight at seeing such a glorious and unlooked-for realization of their desire may be “more easily imagined than described.” So difficult is it becoming for the mass of professional musicians to squeeze a living out of their art that one cannot but wish that the greater part of those who devote themselves to the musical career, without the exceptional talent which alone can ensure success in this field, had been apprenticed by their fates, or their parents, to some safe trade or manual occupation offering a greater certainty of a moderate pecuniary return for their labor. One of the many hungry pianists who, after devoting eight hours a day for six or eight years to the drilling of their fingers, find, to their cost, that there are too many competitors in the field, being something of a rhymist as well as a wit, has just consoled himself one evening, when he had gone supperless to bed, by composing the following epitaph, which he has ordered, by a will written on purpose, to be inscribed on his tomb, when he shall have succumbed under the attacks of the genius of starvation:

“Ci-gît, sous cette planche,  
Qui vécut du bémol;  
Fut enfant d’une blanche,  
Et mourut sur le sol.”

Rossini, who, despite the persecutions he has had to endure, and which so cruelly embittered so many of what should have been the best years of his life, may be cited as one of the most fortunate votaries of the divinest of the arts, has deserted his apartment at the corner of the Boulevard and the Rue de la Chaussée d’Autin, and is spending his summer, as usual, at his beautiful villa at Passy, not far from the charming and splendid Château de la Muette, formerly a royal residence, but, for many years past, the property and favorite abode of Madame Erard. The great musician is very anxious and unhappy just now, owing to the malady of a pet dog, of which the author of so many immortal melodies is exceedingly fond. The care and kindness lavished on this quadruped could hardly be exceeded were the little beast Rossini’s own child. It is doctored, fed, bathed, taken out on a cushion for an airing twice a day, and as, despite all this care and devotion, it suffers from attacks of pain that nothing seems able to calm but music, the *maestro* (whose highest ambition has always been to excel as a pianist, and who has practised diligently for some years past, without, however, the possibility of making himself more than the “third-rate player” which he modestly declares himself to be) sits down to his piano and plays by the hour together to the dog, who generally ends by falling asleep, to the intense satisfaction of its benevolent master, flattered at being able to accomplish what all the opiates of the dog-doctors have failed to accomplish. Rossini’s green old age has also been troubled of late by the racket of the small but noisy sect of the Wagnerians, and so painfully was his melodious soul affected by hearing the tissue of musical inanities and insanities with which Liszt tortured and insulted the ears of his listeners last Good Friday, at St. Eustache, under pretext of giving to the Parisians a glimpse of the glories of “the music of the future,” in the shape of a “grand mass in music” inspired by the Wagnerian teaching, and dedicated to Wagner, whom Liszt adores as a demigod, that he has actually written a long letter to the Pope upon the danger with which church music is threatened by the systematic cacophonism of the Wagnerian school! Whether the old melodist went so far as to beseech Pio Nono to launch the thunders of the church against Dr. Wagner, who, as a Protestant, a radical, and one of the vainest of men, would probably be rather gratified than otherwise by such a recognition of his importance, or whether he contented himself with imploring his Holiness to forbid the introduction of the horrible dissonances of “intellectual music” into the Catholic fanes, has not transpired. It is known, however, that the Pope has replied to the musician in a long letter, written with his own hand, in which, passing lightly over the subject which is lying so heavily on the heart of the *maestro*, he indulges in woful lamentations about the impiety of the age and the tempests which “threaten the bark of St. Peter.” *Apropos* of which figure of speech, a favorite one with the present Pontiff, it is said that on one occasion, when he had just made use of it in a confidential conversation, his interlocutor replied that his Holiness should not be uneasy, the arm of Providence being pledged to uphold that bark “amidst the waves of evil,” on which the Pope, who often commits a mild witticism, and had just then pressing anxieties in regard to pecuniary responsibilities the Papal exchequer had no means of meeting—“True of the bark, but what of the crew?”

That favorite rendezvous of the lovers of equestrian spectacles, the Cirque de l’Impératrice, having been burned a few weeks ago, Franconi has transported his *troupe* and his horses to a new circus, named in honor of the Prince Imperial, and has added to the staple attractions of his establishment a company of learned animals from Germany, said to be unrivalled in their way, and comprising twelve monkeys, who perform equestrian and gym-



nastic feats of the very highest "schools;" twenty-eight dogs, almost more clever than the monkeys; one preternaturally sharp goat, who performs on the tight-rope; eight wonderful ponies, one of whom turns the handle of a barrel-organ with his mouth.

STELLA.

### THE GOOD GODDESS.

WE desire to relieve our minds by a complaint concerning the personage who is sometimes styled the "Good Goddess of Poverty," and to dispute her claims to that title "good," which does in our opinion embody a continual misstatement, as her character and conditions are only evil perpetually. She is, in the beginning, an immoderate deity. When she finds you hard pressed, then she presses you out of reason. When she wears the keys, you touch bottom in your purse and the flour-barrel together. The butcher becomes an impossibility, and you find the store-closet is bare also. There is no sugar and no coffee. All the quiet, subjective necessities, the salt, mustard, pepper, pins, and tacks of existence, are at the same time skilfully withdrawn by the "good goddess." She sees her chance, and is determined not to leave you a leg to stand on. If a letter would help you, there is neither paper nor stamp; and if you would write an article, no foolscap. She believes in hitting you when you are down, and at this impossible time the children's toes work through their shoes, somebody breaks the last pitcher in the house, and all the bills come due; while, falling ill of anxiety and vexation, the money hoarded for the rent goes to the doctor, who, with bitter irony, advises a trip to the sea-side and "to keep your mind perfectly easy."

Of economy the "good goddess" knows nothing. She hinders you from getting in coal and flour when they gravitate towards moderation. She cuts up your wife's old-time silks, that can stand without legs, into coats for the children, and sets out the table with your rare china, having a hundred excellent reasons against providing you with stone ware. She is equally opposed to an economical stove, and you worry on with the old one and double the quantity of fuel. She will have you buy on credit, and loses you the advantage of choice in dealers and market fluctuations; and when the tide comes in your affairs which, if taken at the flood, would lead on to fortune, you may be sure of not taking it, for you will not have the money to hire a boat. She is even a greater waster of bodies than of dumb matter. She keeps your stomach so cold, your liver so dull, and your heart so low that brain and muscle are on half rations, and work like the Israelites at making bricks without straw. Though soul-wheel rust and body-strop grow thin, she will hear to no talk of rest or change, always answering that people must eat, and, barricading herself between store-room and coal-bin, she pelts you from there with wants whenever you hint at getting out of your groove.

She is the worst possible company. She has a knack of making you ashamed in society no better than yourself. She nudges your elbow reprovingly when she finds you in full and hearty enjoyment, and tinkles dolefully your carefully counted pennies, like a passing bell, at your simple feasts. She breaks in on your choicest paragraph with intolerable problems in milk tickets, and calls you off without compunction from your merriest thought to lend a helping hand at stretching the two ends of your income over the last day of the year. She counts out morsels at table lest the meat should not be fairly divided, and hints to you not to ask for a second helping. She ties up your hands on birth-days and at Christmas, and keeps you at home when the rest of the world is agog, while she herself will never be left behind, but must hang on your arm on all occasions. Notwithstanding, she has the art that no unwelcome guest ever had before of making each additional hour an excuse for a longer stay, and every year just three hundred and sixty-five reasons the more for keeping her for ever.

The "good goddess" is an intolerable braggart, and unscrupulously appropriates the fag ends of everybody's credit. When a man or woman gets well up in the arena, and stands a little above the panting crowd, she is the first to slap him on the back, as Pharaoh, if it had not been for that Red Sea affair, might have congratulated Joshua in the promised land:

"Aha! my brave boy! you would never have thought of coming here if it had not been for me!"

If a saint or hero accepts her as the means for a great end, and transfigures her with the glory of self-sacrifice, she sends in her bill thus:

To Poverty,	Dr.
For so much glory,	All the credit.

No game is too small for her. If the busy mosses weave their green pile on the sunken roof, or the clerk of the weather does a little painting on the dingy wall, or she finds a house-wife that is a match for her, she commends the fact to the lovers of the picturesque, and makes no mention of that other fact, that it was done in spite of her.

She is a perfect Pumblechook. She gets out touching memoirs of those whom she drove by her shrewishness to fame or holiness and long lists of those whom she has goaded on to honor, and she enjoys in consequence the good word of a number of old proverbs that ought to have known better, and has considerable credit with comfortable people who think her an excellent thing—for others, and with certain poets who either have never had her company or were too much ashamed of it to write her down faithfully. Nor is it to be denied that, as these people assert, she has an agreeable and heroic touch, considered in the abstract. We derive a flattering sense of personal intrepidity from the ease with which we get over—on paper—the early difficulties of prominent personages; and single-herring-and-oat-meal, faith-and-perseverance stories are pleasant reading on the piazza after a lunch of peaches and cold chicken, with plenty of shadow tangled in among the vines.

But the piazza view and the face-to-face view of Poverty have few points of resemblance. The poverty that counts twice over the billets of wood on your hearth, and sits at your table with looks of fear, is the bitter storm through which the strong stagger to rest and safety and in which the weak perish—the spur that goads the brave to a frenzy of energetic endeavor and the weak to death, the wolf that urges on the swift and devours the infirm. Do we praise the wolf, the storm, or the spur? Are they the parents of the strength and skill put forth to escape them? Picturesque! so is murder. Heroic! so is war. We are aware that, in accordance with literary canons, we should treat our subject dispassionately; but we have the kind of feeling toward the good goddess that you entertain toward your aunt with the fine furious temper when you hear her discoursing in public on Christian meekness. She has shown a disposition not to leave us a leg to stand on, as we stated in the beginning, and we should like to return the compliment. She had the hardihood to tell dear old Herbert that "she was the mother of health," and compare her bareness to the simplicity of nature; but look at this splendid bee, that has just bounced in and out again without stinging us—for which we beg leave publicly to thank him here. Setting aside his gold and velvet, is he poor? He owns neither a hive nor a superfluous pair of legs, nor an extra pollen-basket, yet, if we know anything of bee physiology, the good goddess has never entered his cell; but had he waked up in this world without a honey-bag, say, or had lost it since by his awkwardness, and none of the cocoon spinners would make him one on credit, and if all the good chances in clover were going while he beat uselessly about here, his condition would be a fair case of poverty—of an enforced doing without something that is indispensable; and that is something widely different from nature's economy of abundance.

Here, against the fence, is a row of blackberry bushes. The blackberry is an everyday member of the berry commonwealth; but consider its resources: almost the entire spring was fragrant with its blossoms, and now its ripe berries contain half a dozen distinct reminders—the sweetness drawn back from the blossom, the wholesomeness of the earth mould, the freshness of the air, a taste of dew, the spiciness of the woods, and a strong essence of the sun, in which the clear juices have mellowed away their last touch of tartness. Comfortable bees and blackberries! burly and confident of honey; big and round and rich in the fulness of blackberry life; what would Triplet give to settle down on his dinner, like yellow-jacket yonder, in full assurance of more! And suppose it were possible to bask a month somewhere, watching the clouds and dipping in the sea, and eating one's dinner in utter uncertainty of its market cost! Mr. and Mrs. Triplet talk it over at times, and half cheat themselves into believing that they sniff the fresh salt air in their musty little parlor; and come back with a sigh to the question of how to pay the seven dollars due out of their last five dollar bill, and live three weeks on the balance. Her good goddess-ship has worn Mrs. Triplet's nose almost to a point, and drawn Triplet's face into fine wrinkles, over difficulties in subtraction like this of taking seven from five; and month by month Triplet's cough grows more perceptible. "Poverty the mother of health!" Nay, verily, disease kills its thousands, and Poverty her tens of thousands; and if the good goddess herself had us by the neck under the water, we should go down in the "scissors" spirit, and cry with our latest gasp, "Fellow-citizens, the brilliant effects of Poverty are due to Christianity, to heroism, to pluck, and ambition, exhibited in spite of her. Poverty, pure and simple, produces filth, thieves, and scrofula."

In talking of Triplet we have stumbled on the mathematical expression of the good goddess—the symbol that she should wear on her crest, the copy that she sets all her children, the problem that she urges on them daily: seven from five? How do you take seven from five, and how much does it leave? It is good to have an answer ready, for she calls with her little puzzle at houses where she was never expected. We have seen grey-headed children at her forms. We will not warrant that some fine morning

shall not be handed into you her goddess-ship's little account, and you will please settle and oblige—yourself. There are two ways of settling it. You can muddle over it all your days, or you can dispose of it as Boston did of the tea question. We suppose that men are not made over to ill-success or bound out for life to poverty. It is perfectly possible to show the good goddess to the door. The industrious man who is for ever out of luck, and the man of talent who is unappreciated, are not the victims of circumstances, and by them delivered, bound hand and foot, to poverty. In one sense, there are no victims of circumstance and no unappreciated people. The industrious man wants judgment and balance, or pluck, to break away to a new calling. The unappreciated man is exactly appreciated in the unerring balance of the long run, and settles to his real, not his fancied, level as surely as water. Success is impossible for many men and more women, but the conditions of their failure are in themselves. That, surely, is a more tolerable way of putting it than to suppose half the human race crushed down by an irresistible fate, just as we read that death results from a demand on some vital organ which it is unable to meet.

## Correspondence.

### "SMALLS" AND "LITTLE-GO."

TO THE EDITOR OF THE NATION:

A slight mistake into which Mr. Marsh has been led by Charles Reade is worth noticing, as it shows, first, the difficulty in accurately localizing slang terms; and, secondly, the necessity of always verifying references. The previous examination of the English universities (called *previous* in its relation to the final degree examination) has a different slang name in each university. At Oxford it is called *the Smalls*, at Cambridge *the Little-Go*; each name is peculiar to its own place.

CARL BENSON.

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Liabilities, - - - 153,746 24

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RECEIPTS for the year, over - - 700,000

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TOTAL DIVIDENDS paid - - - 419,000

TOTAL LOSSES paid - - - 944,042

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OFFICE OF THE ATLANTIC MUTUAL INSURANCE CO.,  
New York, January 27, 1866.

The Trustees, in conformity to the Charter of the Company, submit the following

### Statement of its Affairs on the 31st December, 1865:

Premiums received on Marine Risks from 1st January, 1865, to 31st December, 1865.....	\$6,933,146 80
Premiums on Policies not marked off 1st January, 1865.....	2,019,334 73
Total amount of Marine Premiums.....	\$8,952,471 53
No Policies have been issued upon Life Risks, nor upon Fire Risks disconnected with Marine Risks.	
Premiums marked off from 1st January, 1865, to 31st December, 1865.....	\$6,764,146 30
Losses paid during the same period.....	\$3,659,178 45
Returns of Premiums and Expenses, \$992,341 44	
The Company has the following Assets, viz.:	
United States and State of New York Stock, City, Bank, and other Stocks.....	\$4,828,585 00
Loans secured by Stocks and otherwise.....	3,330,350 00
Real Estate and Bonds and Mortgages.....	221,260 00
Dividends on Stocks, Interest on Bonds and Mortgages and other Loans, sundry notes, re-insurance, and other claims due the Company, estimated at.....	144,964 04
Premium Notes and Bills Receivable.....	3,283,801 06
Cash in Bank, Coin.....	80,462 00
U. S. Treasury Note Currency.....	310,551 73

Total Amount of Assets.....\$12,199,975 17

Six per cent. interest on the outstanding certificates of profits will be paid to the holders thereof, or their legal representatives, on and after Tuesday, the Sixth of February next.

Fifty per cent. of the outstanding certificates of the issue of 1864 will be redeemed and paid to the holders thereof, or their legal representatives, on and after Tuesday, the Sixth of February next, from which date interest on the amount so redeemable will cease. The certificates to be produced at the time of payment, and cancelled to the extent paid.

A dividend of Thirty-Five per cent. is declared on the net earned premiums of the Company, for the year ending the 31st December, 1865, for which certificates will be issued on and after Tuesday, the Third of April next.

By order of the Board,  
J. H. CHAPMAN, Secretary.

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Capital, \$3,000,000

Incorporated in 1816.

LOSSES PAID IN 46 YEARS.....\$17,485,894 71

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Assets January 1, 1866, \$4,067,455 80

Claims not due and unadjusted,.....244,391 43

Persons desiring ample security against loss and damage by fire may obtain policies at fair rates.

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It accommodates its members in the settlement of their premiums, by granting, when desired, a credit at once on account of future dividends, thus furnishing insurance for nearly double the amount for about the same cash payment as is required in an "all cash company."

The annual income, exclusive of interest on investments, now exceeds

**Two and a Half Million Dollars.**

The following is a summary of the Company's business for the year 1865:

Number of Policies issued, . . .	5,138
Insuring the sum of, . . .	\$16,324,888
Received for Premiums and Interest, . . .	\$2,342,820 40
Losses, Expenses, and Dividends paid, . . .	1,118,901 25
Balance in favor of Policy-Holders, . . .	\$1,223,919 15
Total Assets, January 1, 1865, . . .	\$4,881,919 70

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Originated and introduced the *New Feature*, known as

**THE NON-FORFEITURE PLAN,**

which is rapidly superseding the old system of life-long payments, and has revolutionized the system of Life Insurance in the United States. It has received the unqualified approval of the best business men in the land, large numbers of whom have taken out policies under it, purely as an investment.

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The only weighty argument offered against Life Insurance is, that a party might pay in for a number of years, and then, by inadvertence, inability, etc., be unable to continue paying, thereby losing all he had paid. The "New York Life" have obviated this objection by their

**TEN YEAR NON-FORFEITURE PLAN.**

A party, by this table, after the second year, cannot forfeit any part of what has been paid in.

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There has been paid to the widows and orphans of members of this Company an aggregate sum exceeding **\$3,500,000.**

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